

**North Dakota Assessment System:
2003 Peer Review Report,
November 2003**

Title I: Elementary and Secondary Education Act

Narrative and Supporting Evidence for

*Submitting Evidence of Final Assessment System
Under Title I, Elementary and Secondary Education Act*

Submitted by the

North Dakota Department of Public Instruction

November 2003

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Title I: Elementary and Secondary Education Act

Introduction

Pursuant to Title I, Section 1111 of the *Elementary and Secondary Education Act* and the 2001 Approved Waiver Agreement between the State of North Dakota and the U.S. Department of Education, the State of North Dakota submits the following report on the development and implementation of its State assessment system. This narrative and the array of support materials annotated throughout and enclosed herein constitute the full State report.

The report narrative corresponds directly to the U.S. Department of Education's document, *Peer Review Report on Evidence of Final Assessment System Under Title I of the Elementary and Secondary Education Act* and references overall guidance contained within the document, *Peer Reviewer Guidance for Evaluating Evidence of Final Assessments*. This report updates the *North Dakota Assessment System: 2002 Peer Review Report*, submitted to the U.S. Department of Education in October 2002. This report incorporates elements of the *North Dakota Consolidated State Application Accountability Workbook*, amended and submitted to the U.S. Department of Education on June 8, 2003.

A uniform format is used throughout the report to allow for quick cross-referencing to primary documents. Each section and question within a section is identified. A brief narrative outlines the state's policy, development protocol, or implementation procedure. Finally, each narrative response, where it is appropriate, will annotate primary documents that serve as evidence of adherence to the law. This report balances a need for clarity with a desire for brevity.

Part I: General Characteristics of the Assessment System

A. Content, Grade Levels, and Administration.

- A1.** *Does the State have a statewide system for assessing all schools in the selected grade spans, including Title I schools? If not, does the State at least have a system for assessing students in Title I schools in relation to performance on State standards?*

The State of North Dakota stipulates that every public school and LEA is held accountable to the provisions of adequate yearly progress and is included in the State Accountability System. The North Dakota Assessment System assesses *all* students within a single, unified, statewide assessment that measures students' performance in terms of the State's challenging content and achievement standards and that ensures all schools and all LEAs are measured for adequate yearly progress within a single, unified accountability system.

North Dakota, through an agreement with the U.S. Department of Education, established an assessment waiver plan to bring the State into full compliance with ESEA, Section 1111(b)(1) requirements. This waiver plan, approved through August 2003, is enclosed as **Appendix A: North Dakota State Assessment Waiver Agreement Plan** and can be accessed at the following web site: <http://www.dpi.state.nd.us/testing/assess/plan.pdf>. The State completed all objectives identified within the waiver agreement plan. The State stipulates that it has met all requirements identified within the Waiver Agreement Plan. The Waiver Agreement Plan expired on August 31, 2003.

The evidence of a single, unified, statewide assessment and accountability system is demonstrated by the grounding authority for State content standards and assessments in North Dakota State Law and in the North Dakota Department of Public Instruction's adherence to the requirements of Federal Law.

(a) Authority within State Law for State Content Standards.

North Dakota state law (NDCC 15.1-02-04.3) places responsibility for the development of State academic content standards with the State Superintendent (refer to **Appendix B: North Dakota Century Code citations** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C02.pdf>). The North Dakota Department of Public Instruction has developed and adopted

academic content standards in mathematics (reference **Appendix D: North Dakota Mathematics Content Standards** or reference these standards at the following web site, <http://www.dpi.state.nd.us/standard/content/math.pdf>) and English language arts (refer to **Appendix F: North Dakota English Language Arts Content Standards** or reference these standards at the following web site, <http://www.dpi.state.nd.us/standard/content/english.pdf>). These State content standards have been developed at grades 4, 8, and 12 in accordance with the *North Dakota Standards and Assessment Development Protocols* (refer to **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>). North Dakota mathematics and English language arts academic content standards meet the requirements of section 1111(b)(1).

The State Superintendent oversees and approves all standards development. A State-level advisory committee consisting of LEA and SEA representatives, titled the *Standards, Assessment, Learning and Teaching (SALT) Team*, advises the Department of Public Instruction on the process and quality of standards development committee work. North Dakota's standards development protocols have been revised to incorporate improvements into the development process and to accommodate the development of grade-level content standards in grades K-12.

North Dakota will continue to use adopted content standards as the basis for statewide assessments at grades 4, 8, and 12 in accordance with *No Child Left Behind Act (NCLBA)*, section 1111(b)(1). In addition, North Dakota will expand its statewide assessments into grades 3, 5, 6, and 7, in accordance with NCLBA section 1111(b)(1) by 2005-06, based on state-defined, grade-level content standards in reading/English language arts and mathematics. These grade-level content standards will be developed and adopted in accordance with North Dakota's standards development protocols. By no later than 2005-06, the State will transfer its grade 12 assessment to grade 11.

North Dakota has submitted its plan for the development of grade-specific content standards to meet the requirements of NCLBA. This submission was a part of the State's Consolidated Application for ESEA funding, dated June 2002. Refer to **Appendix H: North Dakota State ESEA Consolidated Application**, pages 3-6, or refer to the following web site: <http://www.dpi.state.nd.us/grants/DOEapp.pdf>. The North Dakota State Consolidated Application has since been approved by the U.S. Department of Education.

(b) Authority within State Law for State Assessments.

North Dakota state law (NDCC 15.1-21-08) places responsibility with the State Superintendent for the administration of State assessments to all public schools statewide that are aligned to the State's content standards in reading and mathematics (refer to **Appendix B: North Dakota Century Code. Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>). State law requires that the assessments be administered to at least one grade level selected within each of the following grade spans: grades three through five; grades six through nine; and grades ten through twelve. The North Dakota Department of Public Instruction has developed and administers assessments at grades 4, 8, and 12 to correspond with the State's content standards.

In April 2003, the North Dakota Legislative Assembly enacted legislation regarding the administration of the State assessments in high school. Enrolled Senate Bill 2065, which became effective in August 2003, requires that the administration of the State assessments in high school occur during the fall of the eleventh grade effective no later than the 2005-06 school year. The assessment development and administration schedule presented throughout this application assumes the administration of the high school State assessments at the twelfth grade until the 2004-05 school year when the assessments will be administered at the eleventh grade. Eleventh grade assessments will be aligned to the proper grade level content standards. The content standards development process will provide for the proper alignment of all content standards.

State law requires that the State assessments compile aggregate and disaggregate results. The State assessments must compile student achievement data that allows for a comparison of individual students, classrooms within a given school and school district, schools within the district, and school districts within the state. The test scores must also allow for comparisons based on students' gender, ethnicity, economic status, service status (i.e., migrant, disability, limited English proficient) and assessment status (i.e., enrollment period within a school and LEA), unless doing so enables the identification of any student. (Refer to NDCC 15.1-21-09 within **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>).

State law requires the State Superintendent to present to the legislative council the test scores publicly for the first time at a meeting of a legislative committee designated by the legislative council. At the meeting, the superintendent and representatives of the testing service that created

the tests shall provide detailed testimony regarding the testing instrument, the methodology used to test and assess the students, and the significance of the test scores. (Refer to NDCC 15.1-21-10 within **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>).

State law requires the State Superintendent to require that the entity developing a test to be administered under section 15.1-21-08 not include questions that might be deemed personal to a student or to the student's family and that the entity developing the test not include questions requiring responses that might be deemed personal to a student or to the student's family. Before a test is finalized for use in North Dakota, the State Superintendent must require that the test be reviewed by a standards alignment committee appointed by the State Superintendent to ensure that the test meets the requirement of privacy. (Refer to NDCC 15.1-21-11 within **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>).

State law requires school districts to allow any individual over the age of twenty to view any test administered under sections 15.1-21-08 as soon as the test is in the possession of the school district. (Refer to NDCC 15.1-21-14 within **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>).

(c) Fulfilling the Requirements of the ESEA Waiver Plan

North Dakota, through an agreement with the U.S. Department of Education, established an assessment waiver plan to bring the State into full compliance with ESEA, Section 1111(b)(1) requirements. . This waiver plan, approved for 2001 through August 2003, is enclosed as **Appendix A: North Dakota State Assessment Waiver Agreement Plan** and can be accessed at the following web site: <http://www.dpi.state.nd.us/testing/assess/plan.pdf>. North Dakota has administered its annual State assessment and has met all provisions set forth within the State Waiver Plan.

State assessments have been developed and adopted thus far in mathematics and reading at grades 4, 8, and 12 in accordance with North Dakota's approved assessment waiver agreement and the *North Dakota Standards and Assessment Development Protocols* (<http://www.dpi.state.nd.us/standard/content/toc.pdf>). North Dakota will develop the State assessments in mathematics and reading at additional grades (grades 3, 5, 6, and 7) by 2005-2006 in accordance with State

protocols and section 1111(b)(1) requirements. North Dakota will proceed to develop the State assessments in science at grades 4, 8, and 12 by 2007-2008 in accordance with State protocols and section 1111(b)(1) requirements. Additionally, North Dakota will expand its science assessment, voluntarily, at grades 3, 5, 6, and 7 by 2007-2008, based on the availability of ESEA Title VI funds, in accordance with State protocols and section 1111(b)(1) standards.

North Dakota has submitted its plan to expand the development of grade specific assessments to meet the requirements of NCLBA. This submission was an element of the State's Consolidated Application for ESEA funding, dated June 2002. Refer to **Appendix H: North Dakota State ESEA Consolidated Application**, pages 7-10, or refer to the following web site: <http://www.dpi.state.nd.us/grants/DOEapp.pdf>. The North Dakota State Consolidated Application has been approved by the U.S. Department of Education.

The Department of Public Instruction has issued a Request for Proposals for the State assessments for the next five-year contract period, 2004-2009. This RFP was released in October 2003 and details the technical specifications and development timeline for the State's various assessment tools. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**. The State anticipates a final selection of the State's assessment contractor by mid-January 2004.

The North Dakota Assessment System provides for a single, unified, statewide assessment that measures the performance of *all* students in *all* schools and *all* LEAs in terms of the State's challenging content and achievement standards.

(d) Fulfilling the requirements of ESEA Consolidated Application. Agreement to administer a statewide accountability system based on adequate yearly progress.

State law grants to the State Superintendent of Public Instruction the authority to apply for, abide by the requirements of, and administer any federal funded program on behalf of the State of North Dakota. In June 2002, the State Superintendent of Public Instruction signed the North Dakota Consolidated Application for programs administered under the *Elementary and Secondary Education Act*. This application included a signed certificate of assurances that obligated the State to administer a single, unified assessment and accountability system based on adequate yearly progress. With the signature of the State Superintendent, the State of North Dakota entered into an agreement with the U.S. Department of Education to abide with all provisions of Section 1111 of the ESEA,

including all elements of accountability based on adequate yearly progress.

The North Dakota Assessment System provides for a single, unified, statewide assessment that measures the performance of *all* students in terms of the State's challenging content and achievement standards.

A2. *Does the State assessment system measure the performance of students in Title I schools using a statewide test, local assessments, or some combination?*

If the State assessment system includes LEA-adopted or developed assessments, how does the State ensure the quality and rigor of the assessments?

North Dakota provides for a single, uniform, statewide assessment system; therefore, the State has developed and administers a single assessment tool that is administered in all public schools within the State, including Title I schools.

As required by State law (refer to question A1 above), the North Dakota Department of Public Instruction has contracted with a single assessment vendor to develop and administer the State's assessment tool, within the general guidance of State protocols and under the supervision of the Department of Public Instruction. The State neither provides for nor permits any assessment alternatives administered by any other local school district, school, or outside entity, aside from the statewide assessment administered by the State Superintendent.

All State financial resources, including authorized allocations by the State's Legislative Assembly and other appropriated federal funding under the *Elementary and Secondary Education Act*, are used exclusively for the administration of a single assessment and accountability system. State law requires a uniform capacity to aggregate and disaggregate student achievement by student, classroom, school, district, and the State. State law requires a single tool that references the State's challenging content standards. State law requires a single, unified report to the Legislative Council concerning the performance of students statewide on a single assessment tool.

State law allows no other alternative assessment systems conducted at the school, district, or another level for the purposes of accountability.

A3. *How does the State evaluate the effectiveness of schools that do not contain any of the grade spans covered by the State assessment system (e.g., K-2 schools)?*

The State of North Dakota stipulates that all public schools, regardless of grade configuration or service population, will participate in the state accountability system. State law defines any public school to include any educational institution supported through State funding. The state accountability system will include all public schools identified as K-12, all alternative public schools, the North Dakota School for the Deaf and the North Dakota State Youth Correctional Center. The State stipulates that all students within North Dakota will fall under the State assessment system as provided below for all unique educational settings.

(a) Unique Grade-Span Schools.

Most schools within North Dakota minimally cover grade spans of K-6, 6-8, or 9-12. However, a review of 2001-02 statewide student enrollments reveals 10 individual schools with student populations that do not fit within the typical grade span observed statewide. The following data indicate the respective number and type of school grade spans that do not correspond to the general assessment grade spans. This list references schools identified with a type of organization that does not allow for any assessments within the State assessment system.

Table A3
Schools with Unique Grade Spans

	Type of School Organization (grade span)					
	Kindergarten	K-1	K-2	K-3	6-7	9-10
Number of Schools	3	2	2	1	1	1

Students who attend any of these schools will eventually graduate to a higher grade level in another designated school. As such, there is a clearly identified school that will receive each student from their school-of-origin listed above. Where schools-of-origin exist with grade spans that do not allow for the administration of the State assessment, as are the cases above, student achievement reports from the receiving school will be forwarded to the school-of-origin by the State. No reports will be issued that might identify an individual student. Each school in which no assessments occur will be linked directly to the supporting district. As students are promoted to school plants where assessments occur, students will participate in the assessment and accountability system. Every school,

regardless of classification, resides within a district that participates in the State accountability system. Listed below are the linkages for schools that do not assess students currently because of their classification. Some schools will begin assessing students by at least 2005-06 when the State begins assessing all grades 3-8 and high school.

Non-Assessed Schools Linked to District Accountability

1. Naughton School linked to Naughton Public School District;
2. Agassiz Middle School linked to Fargo Public School District;
3. Eagle Kindergarten Center linked to Fargo Public School District;
4. Davenport Elementary School linked to Kindred Public School District;
5. Early Childhood Center linked to West Fargo Public School District;
6. Griggs County Central Elementary School linked to Griggs County Central District;
7. Stevenson School linked to Bowline Butte Public School District;
8. Zimmerman Elementary School linked to Wahpeton Public School District;
9. Central Campus School linked to Minot Public School District;
10. New Kindergarten School linked to New 8 Public School District.

(b) Rules for Performance, Participation, and Graduation For Alternative High Schools

Rules regarding performance and participation rate.

General rule regarding performance and participation rate: Given the inherently high transfer rate between traditional and alternative high schools, and the cumbersome nature of tracking such transfers, the student performance and participation measures for alternative high schools will be rolled up to the traditional high school, school district of residence, or the State.

Beginning of the year definition. To identify the status of students within the Accountability System, the State will employ a “beginning of the school year” definition. For the 2001-02 school year, the beginning of the school year is defined as 150 school days prior to the first day of the spring testing window. In subsequent years, the number of days will be defined as the number of school days preceding the first day of the testing window, as determined by the State. This will accommodate both the fall and spring testing windows.

Specific rules for performance and participation.

1. If a student is enrolled in an alternative high school and is a resident of the school district in which the alternative high school is located, the student's performance and participation are attributed to the resident school district.
2. If a student attends an alternative high school but is enrolled in the school district's traditional high school, then the student's performance and participation are attributed to the traditional high school.
3. If a student is a resident of a school district other than the one in which the alternative high school is located, and the student's resident school district claims the student for pupil membership, the student's performance and participation are attributed to the student's school district of residence.
4. If a student transfers from one school district to another (whether the receiving school district is the location of the alternative high school or not) since the beginning of the school year, then the student's performance and participation are attributed to the State.

General rule regarding graduation rate.

General rule for graduation. Given the inherently high transfer rate between traditional and alternative high schools, and the cumbersome nature of tracking such transfers, the student graduation measure for alternative high schools will be rolled up to the traditional high school, school district of residence, or the State.

Cohort definition. To identify the status of students within the Accountability System, the State will employ a cohort definition. A cohort begins from entry as identified by the school's definition (grade 9 for a grade 9-12 school, or grade 10 for grade 10-12 school) and extends until age 21 or until graduation, whichever occurs first. The formula to determine graduation rate is stated in the Accountability Workbook, page 50.

Specific rules for graduation.

1. If a student is enrolled in an alternative high school and is a resident of the school district in which the alternative high school is located, the student's graduation is attributed to the resident school district.

2. If student attends an alternative high school but is enrolled in the school district's traditional high school, then the student's graduation is attributed to the traditional high school.
3. If the student is a resident of a school district other than the one in which the alternative high school is located, and the student's resident school district claims the student for pupil membership, the student's graduation is attributed to the student's school district of residence.
4. If a student transfers from one school district to another since the beginning of the cohort, then the student's graduation is attributed to the State.

(c) Rules for Performance and Participation For Atypical Education Settings

General rules for performance and participation. The following general rules apply when determining the educational entity to which a student's performance and participation will be attributed.

1. If the student physically attends the public school, performance and participation are attributed to that school, the school district, and the State.
2. If the public or private school or facility serves the student on a contract basis, the student's school district of residence is responsible; student performance and participation are attributed to the school district of residence.
3. If the student is served in a state facility, student performance and participation are attributed to the State.

Beginning of the year definition. To identify the status of students within the Accountability System, the State will employ a "beginning of the school year" definition. For 2001-02 the beginning of the school year is defined as 150 school days prior to the first day of the spring testing window. In subsequent years, the number of days will be defined as the number of school days preceding the first day of the testing window, as determined by the State. This will accommodate both the fall and spring testing windows.

Specific rules for performance and participation. Students may attend school in other than the public school in their school district of residence

for either a brief or extended period of time due to (1) choice; (2) developmental or health concerns; or (3) behavior/discipline issues or adjudication.

(1) Specific rules for performance and participation related to choice.

If a student attends a school and school district other than his or her school or school district of residence and the serving school district claims pupil membership for the student, performance and participation are attributed to the serving school, school district, and State. This applies to:

- a. Job Corps students
- b. Air Force Base students
- c. Open enrolled students

(2) Specific rules for performance and participation related to developmental and health concerns.

- a. If a student is served under contract to a public or private facility or to another public or private school or school district, performance and participation are attributed to the school district of residence and State. This applies to:

- i. Anne Carlsen Center
- ii. Developmental Center
- iii. Adolescent Unit of Jamestown State Hospital
- iv. Students attending psychiatric treatment or mental health facilities
- v. Some students receiving special education services

- b. If a student is placed in a treatment facility out of North Dakota and the North Dakota school district of residence claims pupil membership, performance and participation are attributed to the school district and State.

- c. If a student is served at the North Dakota School for the Deaf (NDSD), performance and participation are attributed to NDSD and the State.

(3) Specific rules for performance and participation related to behavior/discipline or adjudication issues.

- a. If a student is served at the Youth Correctional Center or State Penitentiary, performance and participation are attributed to the State.
- b. If a student is incarcerated and is claimed by the school district of residence for pupil membership, performance and participation are attributed to the school district. However, if a student is incarcerated

and is not claimed by the school district of residence for pupil membership, performance and participation are attributed to the State.

- c. If a student is served at the Adolescent Unit at the North Dakota State Hospital, performance and participation are attributed to the State.
- d. If a student is served at Dakota Boys Ranch (Minot and Fargo), performance and participation are attributed to the State.
- e. If a student is served at Home on the Range (Beach), performance and participation are attributed to the State.
- f. If the student who is less than 16 years of age is truant and the school district of residence claims pupil membership for the student, participation for that student is attributed to that school district of residence and the State. However, if the student who is less than 16 years of age is truant and the school district of residence does not claim pupil membership for the student, participation for that student is attributed to the State.
- g. If a student who is less than 16 years of age is suspended or expelled from school, as evidenced through appropriate documentation, and who is claimed by the school district of residence for purposes of pupil membership, performance and participation are attributed to the school district of residence and the State according to the beginning of year rule. However, if a student who is less than 16 years of age is suspended or expelled from school and who is not claimed by the school district of residence for purposes of pupil membership, participation is attributed to the State.
- h. If a student is placed with foster parents who reside in a North Dakota school district, performance and participation are attributed to the serving school district and State.

(d) Definition of “public school” for accountability determination.

For the purposes of determining AYP, a public school within North Dakota is identified by the grade levels it serves and is approved to operate based upon its meeting criteria established in State law (NDCC 15.1-06-06). Schools report their approval status annually, as identified on the State’s MIS 02 report for school approval. The Department of Public Instruction will reference this grade level approval status for the purposes of classifying and reporting public schools.

A4. *How does the state incorporate multiple measures of student achievement?*

The North Dakota Assessment System uses an augmented, multiple assessment tool that is aligned to North Dakota's content standards. The State of North Dakota has contracted with CTB/McGraw-Hill, LLC, to develop and administer CTB's *TerraNova, Second Edition Multiple Assessment* with a dedicated *Supplement* of uniquely aligned test items. The combination of the *TerraNova* and the *State Supplement* constitute the North Dakota State Assessment.

By its design, the State assessment is a multiple-measures assessment. The State assessment combines both selective-response test items with constructed-response test items into a unified assessment tool. The State Assessment Blueprint illustrates the distribution of selective- and constructed-response test items across the breadth of the State's content standards. Refer to **Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts**.

Appendix K identifies those test items that are selective-response items (designated by the listing of the test item alone) and those test items that are constructed-response items (designated by the listing of the test item followed by the initials "CR").

It is the longer-term commitment of the State of North Dakota to employ an item-replacement model that steadily increases the number and quality of constructed-response test items, including greater use of extended-response items. Future RFPs for the State assessment will include a schedule for the improved quality of constructed-response test items. In consultation with SALT Team, the Department of Public Instruction has adopted a policy requiring future RFPs to incorporate the recommendations of the Education Leaders Council, *Model Contractor Standards & State Responsibilities for State Testing Programs, 2002* (refer to **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>).

The State has issued a Request for Proposals for the State assessment for the next five-year contract period, 2004-2009. This RFP was released in October 2003 and details the technical specifications and development timeline for the State's various assessment tools. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**. The State anticipates a final selection of the State's assessment contractor by mid-January 2004. Within the RFP provisions are set forth for the long-term enhancement of the State's augmented assessment. The RFP requires prospective vendors to issue plans for the

development of a greater number of higher-order assessment items that might require constructed-response or extended-response methods.

- A5.** *Are the assessments administered annually, covering the required grade spans and content areas, incorporating the measurement of higher order thinking skills and understanding, and yielding scores in at least mathematics and reading?*

(a) Prescribed annual assessments and grade levels.

North Dakota state law (NDCC 15.1-21-08) places responsibility with the State Superintendent for the *annual* administration of State assessments that are aligned to the State's content standards in reading and mathematics (refer to **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/assembly/57-2001/cencode/CCT15x1.pdf>). State law requires that the assessments be administered to at least one grade level selected within each of the following grade spans: grades three through five; grades six through nine; and grades ten through twelve. The North Dakota Department of Public Instruction has developed and administers assessments at grades 4, 8, and 12 to correspond with the State's content standards.

In April 2003, the North Dakota Legislative Assembly enacted legislation regarding the administration of the State assessments in high school. Enrolled Senate Bill 2065, which became effective in August 2003, requires that the administration of the State assessments in high school occur during the fall of the eleventh grade effective no later than the 2005-06 school year. The assessment development and administration schedule presented throughout this application assumes the administration of the high school State assessments at the twelfth grade until the 2004-05 school year when the assessments will be administered at the eleventh grade. Eleventh grade assessments will be aligned to the proper grade level content standards. The content standards development process will provide for the proper alignment of all content standards.

(b) Required reporting in mathematics and reading/language arts.

State law requires that the State assessments compile aggregate and disaggregate results. The State assessments must compile student achievement data that allows for a comparison of individual students, classrooms within a given school and school district, schools within the district, and school districts within the state. The test scores must also allow for comparisons based on students' gender, ethnicity, economic status, service status (i.e., migrant, disability, limited English proficient)

and assessment status (i.e., enrollment period within a school and LEA), unless doing so enables the identification of any student. (Refer to NDCC 15.1-21-08 within **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>).

(c) Measurement of higher order thinking skills and knowledge.

By its design as a multiple-measures assessment, the State assessment measures higher order thinking skills and understanding. The State assessment combines both selective-response test items with constructed-response test items into a unified assessment tool. The test incorporates selective response items that require the student to incorporate reasoning, analysis, and problem-solving skills. The use of constructed-response items requires the student to demonstrate actual writing, reasoning, analysis, and problem-solving skills. The State assessment Blueprint illustrates the distribution of selective- and constructed-response test items across the breadth of the State's content standards. Refer to **Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts**.

Appendix K identifies those test items that are selective-response items (designated by the listing of the test item alone) and those test items that are constructed-response items (designated by the listing of the test item followed by the initials "CR").

In consultation with the SALT Team, the Department of Public Instruction has identified the need to conduct a thorough analysis of the current State assessment regarding its rigor of higher order thinking skills and understanding. The Department of Public Instruction will contract with an independent, outside consultant to conduct this analysis with the cooperation of the State's new assessment contractor. The State had originally proposed to conduct this depth and breadth analysis during 2003; however, the State has delayed this analysis until the State's new assessment vendor is selected in January 2004. This analysis will study the next generation of State assessments, thereby better utilizing limited State resources. The depth and breadth analysis will be conducted in 2004 as a baseline evaluation of the new State assessment in anticipation of its enhancement with future replacement items and the future development of other grade-level assessments as itemized within the RFP of the next State assessment. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**. The RFP evaluation procedures provide for the convening of educators from across the State in 2004, including classroom teachers, administrators, content specialists, and university professors, to conduct an audit and alignment

study of the next State assessment in terms of an agreed upon evaluation criteria. The State will contract with an independent contractor to conduct this alignment study and to develop an acceptable evaluation tool. This evaluation tool would evaluate the State assessment against five levels of increasing difficulty: (1) identity and recall; (2) use of concepts; (3) explanation and reasoning; (4) evaluation and extension; and (5) integration and performance.

Actual student achievement impact data generated during the 2003-04 school year, in addition to equivalent items and scale score comparisons with the 2001-2004 school years, will be used to evaluate and calibrate the assessments' rigor. Refer to **Appendix V: North Dakota Assessment Results, Composite Results** for the initial student achievement results from the State's administration years, 2001-03. The analysis project will compare, furthermore, student achievement data generated with the State assessment with that data generated with the National Assessment of Education Progress (NAEP) in terms of overall achievement level comparisons, subgroup comparisons, and relative intervals of scale score spread.

The results of this analysis of the State assessments' rigor will be incorporated into the design of future assessments. All subsequent RFPs for the State assessment will include a schedule for the improved quality of constructed-response test items. In consultation with the SALT Team, the Department of Public Instruction has adopted a policy requiring future RFPs to incorporate the recommendations of the Education Leaders Council, *Model Contractor Standards & State Responsibilities for State Testing Programs, 2002* (refer to page 19 within **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>).

**Table A5
Evidence Summary**

	Grade Span 3-5	Grade Span 4-8	Grade Span 9-12
Administered annually	Grade 4. Refer to NDCC 15.1-21-08 within Appendix B: North Dakota Century Code, Assessment Statutes	Grade 8. Refer to NDCC 15.1-21-08 within Appendix B: North Dakota Century Code, Assessment Statutes	Grade 12. Refer to NDCC 15.1-21-08 within Appendix B: North Dakota Century Code, Assessment Statutes
Mathematics, measurement of higher order thinking.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.
Reading/language arts, measurement of higher order thinking.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.	Refer to Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts.
Scores reported in reading.	Refer to Appendix V: North Dakota Assessment Results, Composite Results	Refer to Appendix V: North Dakota Assessment Results, Composite Results	Refer to Appendix V: North Dakota Assessment Results, Composite Results
Scores reported in mathematics.	Refer to Appendix V: North Dakota Assessment Results, Composite Results	Refer to Appendix V: North Dakota Assessment Results, Composite Results	Refer to Appendix V: North Dakota Assessment Results, Composite Results
State Assessment analysis of rigor	Refer to Appendix K: State Assessment Blueprint. Alignment study forthcoming in 2004.	Refer to Appendix K: State Assessment Blueprint. Alignment study forthcoming in 2004.	Refer to Appendix K: State Assessment Blueprint. Alignment study forthcoming in 2004.

Part I: General Characteristics of the Assessment System

B. Inclusion

- B1.** *Do the State data on assessment participation rates indicate that virtually all students are included in the assessment and that their scores are used to evaluate school and district progress?*

Statewide assessment participation rates across all North Dakota students are reported on Tables B1a through B1d. Table B1a compares 2001-02 and 2002-03 student assessment participation for the total student population, students with disabilities, and students with limited English proficiency. Table B1b presents the assessment participation categories of students with disabilities for grades 4, 8, and 12 statewide during 2001-02 and 2002-03. Table B1c presents the assessment participation categories of limited English proficiency students for grades 4, 8, and 12 statewide during 2001-02 and 2002-03. Table B1d presents achievement, participation, and secondary indicator results among all students and disaggregated by subgroup during 2001-02 and 2002-03.

Table B1a

Demographics of North Dakota Students Assessed, Grades 4, 8, and 12 2001-02 and 2002-03

Total population assessed. Participation rates reported on Table B1d.

	2001-02			2002-03		
	Grade 4	Grade 8	Grade 12	Grade 4	Grade 8	Grade 12
Total student population	8353	9236	9547	8283	8993	8679
Total students with disabilities (IEP)	1039	994	604	1029	1135	656
Total students with limited English proficiency	220	79	81	321	244	96
Total participation in State Assessment	7345	7984	7451	7962	8598	8526

Source: North Dakota State Assessment, Cumulative Demographic Database.
These data are being audited for reporting compliance.

Table B1b

**Students with Disabilities Assessment Status Report
North Dakota Students, Grades 4, 8, and 12
2001-02 and 2002-03 School Year**

Total Number of Students Per Category

	2001-02			2002-03		
	Grade 4	Grade 8	Grade 12	Grade 4	Grade 8	Grade 12
Students with an IEP assessed under standard conditions	502	521	363	328	447	364
Students with an IEP included <i>with</i> appropriate accommodations	469	403	191	661	653	241
Students with an IEP tested with Alternate Assessment	41	26	20	39	33	46
Students with an IEP whose test was invalidated	10	<10	<10	<10	<10	<10
Students with an IEP enrolled less than one year	<10	<10	<10	<10	<10	<10
Students with an IEP who did not take the State Assessment for various reasons*	17	34	27	<10	<10	<10
Total students with an IEP.	1039	994	604	1029	1135	656

Source: North Dakota State Assessment, Cumulative Demographic Database.
These data are being audited for reporting compliance.

* Reasons include prolonged illness, extended absences, parent refusal, disciplinary actions, security concerns, and incarceration.

Table B1c

**LEP Students Assessment Status Report
North Dakota Students, Grades 4, 8, and 12
2000-01 and 2002-03 School Year**

Total Number of Students Per Category

	2001-02			2002-03		
	Grade 4	Grade 8	Grade 12	Grade 4	Grade 8	Grade 12
Students with an IEP assessed under standard conditions	176	54	62	258	166	79
LEP students included <i>with</i> appropriate accommodations	26	15	16	60	77	15
LEP students tested with Alternate Assessment *	<10	<10	<10	<10	<10	<10
LEP student whose test was invalidated	<10	<10	<10	<10	<10	<10
LEP students enrolled less than one year	<10	<10	<10	<10	<10	<10
LEP students who did not take the State Assessment for various reasons**	10	<10	<10	<10	<10	<10
Total LEP students	220	79	81	321	244	96

Source: North Dakota State Assessment, Cumulative Demographic Database

These data are being audited for reporting compliance.

* North Dakota does not allow for alternate assessment of LEP students. Indicates LEP student with a disability.

** Reasons include prolonged illness, extended absences, parent refusal, disciplinary actions, security concerns, and incarceration.

Table B1d
North Dakota State Assessment Results:
Achievement, Participation, and Secondary Indicators
Adequate Yearly Progress Indicators
Comparison of 2001-02 to 2002-03 Data

*Indicators that did not meet AYP.

		2001-2002 Data	2002-2003 Data
		Rate	Rate
Proficiency Reading	Goal	56.1%	56.0%
	All Students	64.7%	64.6%
	White	67.0%	67.1%
	American Indian	36.5% *	37.8% *
	Black	55.9%	51.2%
	Hispanic	56.2%	50.6%
	Asian	60.4%	64.8%
	Other Race	48.9%	49.6%
	LEP	38.1% *	32.5% *
	Low Income	54.5%	54.3% *
	IEP	26.1% *	25.4% *
Proficiency Math	Goal	34.0%	33.9%
	All Students	44.9%	44.5%
	White	47.2%	46.8%
	American Indian	16.8% *	19.9% *
	Black	29.1%	26.6% *
	Hispanic	29.2%	29.7%
	Asian	48.5%	52.3%
	Other Race	34.3%	35.0%
	LEP	25.3% *	20.2% *
	Low Income	33.8%	33.1%
	IEP	14.0% *	13.2% *

Source: North Dakota State Assessment and Accountability Database

Table B1d (continued)
North Dakota State Assessment Results:
Achievement, Participation, and Secondary Indicators

Participation Reading	Goal	95.0%	95.0%
	All Students	96.5%	99.6%
	White	98.0%	99.7%
	American Indian	93.0% *	99.2%
	Black	97.3%	100.0%
	Hispanic	95.3%	100.0%
	Asian	98.0%	99.4%
	Other Race	33.5% *	100.0%
	LEP	96.8%	99.1%
	Low Income	97.4%	99.5%
	IEP	95.7%	99.0%
Participation Math	Goal	95.0%	95.0%
	All Students	96.5%	99.6%
	White	97.9%	99.6%
	American Indian	92.8% *	98.9%
	Black	97.3%	99.2%
	Hispanic	95.7%	99.6%
	Asian	97.6%	99.4%
	Other Race	33.5% *	100.0%
	LEP	96.5%	99.1%
	Low Income	97.4%	99.4%
	IEP	95.8%	98.6%
Secondary Indicators	Goal: ADA	93.0%	93.0%
	ADA	95.9%	95.3%
	Goal: Grad Rate	89.9%	89.9%
	Graduation Rate	94.1%	93.3%

Source: North Dakota State Assessment and Accountability Database.

*Indicators that did not meet AYP.

(a) Disabilities.

Participation rates for students with disabilities are reported in Table B1d above and are reported on the State adequate yearly progress reports and the School Profile and Report Cards. Participation rates for students with disabilities in the State assessment have evidenced an improvement in recent years, increasing from 88.1% in 1998-99 to the participation rate of 99% in 2002-03.

Summary achievement scores for students with disabilities are presented, by school district, on the School Profile and Report Card that can be accessed at the following website:

<http://www.dpi.state.nd.us/dpi/reports/profile/index.shtm>. Special education units and member school districts must address overall student achievement levels as an element of regular monitoring by the North Dakota Department of Public Instruction, Office of Special Education. See **Appendix MM: Special Education Monitoring Manual: Collaborative Review Process**.

Student achievement data for the aggregate and disaggregate subgroup are reported on the School Profile and Report Card. (Refer to **Appendix T. North Dakota Sample School Profile, School Report Card**). If schools do not meet requirements of adequate yearly progress for two consecutive years, according to the rules of the State's accountability system, then they are placed on program improvement status and must work to increase the percentage of students who are proficient or above in their performance relative to State standards. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State accountability system.

(b) Limited English Proficiency.

North Dakota collects demographic information regarding LEP students through its North Dakota Limited English Proficient Student Survey, enclosed as **Appendix X**. The State Task Force for Limited English Proficiency is studying the implementation of improved reporting procedures that will result in more timely and accurate data collection.

The State collects demographic data for each student as an element of the State assessment administration. Student demographic data are collected through the State assessment's face sheet, processed by the assessment contractor, and reported out as an element of the State's disaggregate reporting of subgroups. This student demographic data are reviewed and validated by schools for accuracy through the State's secure Online Reporting System. These validated data are referenced in generating the annual adequate yearly progress report and the annual School Profile and Report Card. Refer to **Appendix N: The North Dakota Assessment Program Test Coordinator's Manual** to reference the data collection instructions offered to schools throughout the assessment process.

The Department of Public Instruction has identified the following activities to improve the collection, validation, and reporting of data related to LEP students and all other subgroup populations.

- The Department has established auditing procedures to track and validate demographic reporting submitted by all schools, especially those schools known to have or suspected of having a significant percentage of students who are likely to have limited English proficiency, including those who are Native American, refugees, immigrants, or migrant.
 1. Numbers of students reported each year will be compared with previous years to identify patterns, particularly in light of funding incentives. Data collected from different data sources will be cross-referenced to identify concurrence or discrepancies. Any discrepancies will result in further investigation to establish reliable findings and to initiate additional corrective measures.
 2. Electronic data collection has been implemented, providing a databases that can be cross-referenced on an annual basis.
 3. When inaccurate reporting is suspected in identified schools, the Department provides technical assistance to administrators and staff regarding identification of and service to students who may have limited English proficiency.
 4. The State Task Force of Limited English Proficiency, convened in 2000, will continue to address the inclusion of LEP students in the standards-based education and assessment system.
 5. The Department provides workshops on diagnostic testing, identification, and assessment of LEP students, using guidance developed by the State Task Force.
 6. The Department disseminates guidance on identification and assessment of LEP students through its website, printed materials, conference and professional development opportunities.
 7. The Department is implementing the TetraData data warehouse to assist in the verification of the accuracy of data obtained for students relating to limited English proficiency, and allow comparisons with the State's survey, as well as the State assessment. See Section I for further discussion of Tetra Data.

8. Coordination of student reporting has been increased through an annual survey, statewide assessment, and the State's Consolidated Application for ESEA funding.
- The Department conducts annual reviews of the State assessment's procedures related to limited English proficiency, including
 1. stating the definition of LEP in the Test Coordinator's Manual
 2. clarifying coding directions related to LEP in the Test Coordinator's Manual, and emphasizing correct coding in assessment training sessions provided by the Department
 3. contacting testing coordinators of schools that submit codes that are outside the allowable parameters to obtain corrections.
 4. cross-referencing numbers of LEP students reported, by school building, to identify discrepancies, with follow-up contact to schools to reconcile differences.
 - The Department seeks advice and counsel regarding State policies and performance indicators from various committees, including the SALT Team and the State LEP Task Force. This will ensure that LEP policies and procedures are consistent with State protocols for standards and assessment.

The Department of Public Instruction reports all student achievement results in the aggregate and by disaggregate subgroup according to the rules set forth within the State's accountability plan. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability reporting provisions. Reporting student achievement information is a provision within both adequate yearly progress reports and of the School Profile and Report Card. The State places all student achievement data within each school's and the State's respective data warehouses for use for ongoing school improvement. Refer to Section I below for an overview of this analysis and school improvement functionality.

B2. *What policies does the State have for including students with disabilities in their assessment system?*

It is the policy of the Department of Public Instruction to include all students in the North Dakota accountability system, including students with disabilities. Refer to **Appendix II: Individualized Education**

Program Planning Process, including Appendix G of that document for the IEP form, or access this document at <http://www.dpi.state.nd.us/speced/guide/iep/index.shtm>. The State's individualized education program (IEP) form, required for every student eligible under the Individuals with Disabilities Education Act (IDEA), includes a section requiring the description of the student's participation in district-wide and statewide assessments. The IEP team must indicate whether the student will participate without accommodations, with accommodations (which must be stated), or in the Alternate Assessment. This element of the IEP is addressed by the school district as it conducts a self-assessment in preparation for the Office of Special Education monitoring. If violations are found, corrective actions are determined and evidence of completion is required.

In addition, participation of students with disabilities in the State's standard and alternate assessments is one of the Department's Performance Goals and Indicators and is reported out as a performance indicator.

The State assessment program provides strict expectations and accountability provisions regarding student participation in the State assessment. Refer to **Appendix N: North Dakota State Assessment Program Test Coordinator's Manual**. Any school that proposes to invalidate a student's test must provide written documentation to the Department of Public Instruction stating the reason for test invalidation. The form must be signed by the authorizing administrator. If a school fails to include students in the State assessment, then sanctions are imposed.

Does the State policy result in participation rates that provide meaningful data on how well students with disabilities are performing relative to State standards?

Student participation rates on the State assessment are provided in Section B1 above. The State reports out student participation rates in the aggregate and by disaggregate subgroups for the State, districts, and schools, according to the provisions of the States accountability plan. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's reporting requirements. Student participation rates are included within the annual adequate yearly progress reports and the School Profile and Report Card.

What policies are provided regarding appropriate accommodations for students with disabilities and the use of alternate assessments?

The State Assessment Program *Test Coordinator's Manual*, provides guidance for the use of the Alternate Assessment (**Appendix N: North Dakota State Assessment Program Test Coordinator's Manual**) and in

the use of accommodations. Reference B2 above regarding Department of Public Instruction guidance on student participation in the State assessment. Refer to **Appendix NN: North Dakota Alternate Assessment** for a detailed overview of the State alternate assessment.

The Department of Public Instruction provides annual training and continuing technical assistance to school personnel related to the North Dakota Alternate Assessment.

B3. *Does the State have a policy in place for maximizing the inclusion of LEP students in the statewide assessment?*

As stated in Section A, it is the expressed policy of the State to include all students, including LEP students, in the State assessment program. The State Consolidated Application (Part I-H), as approved by the U.S. Department of Education (reference **Appendix H: North Dakota State ESEA Consolidated Application**, <http://www.dpi.state.nd.us/grants/DOEapp.pdf>), stipulates to the State's commitment to include all students in the State assessment.

The State reports all student participation rates as an element of the State assessment and accountability system. The State publishes participation rates for LEP students as a provision of the State's annual adequate yearly progress reports and the School Profile and Report Cards.

The State audits all participation rate data by cross-referencing primary data collection sources. This monitoring activity identifies concurrence or discrepancies within school reporting. The State provides technical assistance to minimize and eliminate reported discrepancies and pursues accepted monitoring sanctions where appropriate.

Does the State policy result in participation rates that provide meaningful data on how well LEP students are performing relative to State standards?

The School Profile and Report Card reports LEP student participation and achievement performance on State standards, compared to performance rates for the aggregate and other disaggregate subgroups.

Accurate data can be assured when the following conditions are present:

- schools assess all students suspected of having limited English proficiency, and accurately identify those meeting the federal definition;

- schools accurately and completely record all LEP students who participate in the State assessment;
- the Department of Public Instruction, with the assistance of schools, reconciles discrepancies in LEP student numbers reported via the Survey of the State's Limited English Proficient Students compared with State assessment statistics and the TetraData data analysis and reporting application.

The Department of Public Instruction, through its adopted assessment and monitoring procedures, stipulates that measures exist to ensure that meaningful data are collected. The Department further stipulates that procedures are implemented to ensure that these data are analyzed and leads to the enactment of remediation provisions that further enhance the full participation of all students, regardless of subgroup.

What policies are provided regarding appropriate accommodations and linguistically accessible assessments for LEP students?

Students who are limited in their English language proficiency have a right to accommodations in the classroom and in the State assessment. Accommodations are listed in the Test Coordinator's Manual for the statewide achievement testing program on pages 33 - 35, located in **Appendix N: North Dakota State Assessment Program Test Coordinator's Manual**, and at the following website: <http://www.dpi.state.nd.us/testing/assess/testmanl.pdf>. The North Dakota State Task Force on Limited English Proficiency, convened by the Department of Public Instruction in 2000, developed guidance for assessing LEP students. Levels of language proficiency for North Dakota students have been established. The Task Force will continue to study and refine the guidance for limited English proficient students and statewide achievement testing. Such guidance is provided to school districts, along with specific accommodations for the levels of English language proficiency. Refer to **Appendix H: North Dakota State ESEA Consolidated Application**, <http://www.dpi.state.nd.us/grants/DOEapp.pdf> for additional plan activities related to assessment accommodations.

B4. *Does the State offer native language assessment for some LEP populations? Are policies in place to ensure that they are used appropriately? If not, why not? Is it practicable to offer these in the future?*

English is the only language used in the State assessment. According to the annual North Dakota Limited English Proficient Student Survey (refer to **Appendix X**) conducted by the Department of Public Instruction, there

are over 30 languages used by students in North Dakota Schools. A listing of these languages is provided in the following table.

Table B4
Languages Spoken by LEP Students
within North Dakota

Primary Languages in Grades K – 12	Percent of Limited English Proficient Students
American Indian languages, including Lakota/Dakota, Ojibwa, Michif, Hidatsa, Arikara, Mandan and others	69%
Spanish	10%
Serbo-Croatian	3%
Sudanese	1%
Somalian	1%
Various other languages are represented in North Dakota schools at less than 1%. These include: Kurdish, Vietnamese, Haitian-Creole, Marshalese, Albanian, Arabic, Chinese, Russian, Ukrainian, Korean, Persian, Armenian and others.	6%

There is no current policy or plan to assess in any other language in the future. This policy was approved by the U.S. Department of Education in North Dakota's Consolidated Plan (see **Appendix H: North Dakota State ESEA Consolidated Application**, <http://www.dpi.state.nd.us/grants/DOEapp.pdf>).

Does the State require that staff conducting native language assessment possess adequate proficiency in the native language? Are they adequately prepared and trained in the assessment procedure?

The State assessment is administered only in English. If the State were to offer the State assessment in native languages, extensive training would be conducted through state and regional workshops. The State Task Force on LEP students serves as an advisory committee for on all matters related to LEP assessment and training.

B5. *Do accommodations offered to students with disabilities and LEP students reflect the instructional approaches used with those students?*

The State Assessment Program *Test Coordinator's Manual* (**Appendix N**) states that the decision regarding the need for and nature of accommodations should be documented through individualized education programs and Section 504 plans. All students identified as limited English proficient as defined in Federal law are entitled to accommodations

appropriate to their level of proficiency. These accommodations may be stated within the student's instructional plan. Students with accommodations needs should participate in state and district assessments under the same accommodations they use in daily classroom instruction and testing.

The Individualized Education Program Planning Process (**Appendix II**) states that the purpose of an accommodation is to help each student show what he/she knows and can do and to lessen the impact of the disability. Accommodations exist with the intent of providing equal footing and not to give an unfair advantage over other students. Further, this guidance states that accommodations used during instruction can be used in testing situations.

The Department of Public Instruction, with the assistance of the State Task Force on Limited English Proficient Students, will be developing in 2004 guidance regarding accommodations specific to students with LEP. The Department of Public Instruction, with the advice of the State IDEA Committee, has developed guidance regarding accommodations specific to students with disabilities. Any accommodations should reflect the instructional approaches used with these students and be appropriate for their disability or their LEP proficiency level.

B6. *(a) Do the accommodations offered to students with disabilities and LEP students provide a means of making valid inferences about the knowledge and skills of these students?*

(b) Has the State investigated the technical quality of the accommodated scores?

The State recognizes the need to study the effects of different accommodations on student achievement throughout the assessment system. It is important to assess the overall use of accommodations and to discern the appropriateness of selected accommodations. The impact of accommodations, whether appropriately or inappropriately applied, may range from having virtually no impact to completely changing the construct the test was designed to measure. Whenever an accommodation compromises a tested construct doubts arise regarding the assessment's validity and any inferences gained about student performance.

The Department of Public Instruction collects data during the administration of the State assessment regarding the nature of any accommodations used for each individual student. The nature of any accommodation is reported as one of three types: scheduling and timing, presentation of test materials and instructions, and response by student.

Refer to **Appendix N. North Dakota State Assessment Program Test Coordinator's Manual**. To advance a study of the effects of accommodations, three different categories are defined:

1. accommodations not expected to influence student performance in a way that alters that interpretation of individual test scores. Individual student scores obtained using this category of accommodation should be interpreted in the same way as the scores of other students who take the test under standard conditions.
2. accommodations that may have an effect on student performance that should be considered when interpreting individual test scores. In the absence of research demonstrating otherwise, scores should be interpreted in light of the accommodation(s) used.
3. accommodations that may have an effect that alters the interpretation of individual scores and *may also change what is being measured*. This can occur if the accommodations are strongly related to the knowledge, skill, or ability being measured. In the absence of research demonstrating otherwise, test scores should be interpreted in light of how the accommodation(s) may alter what is measured.

It is probable that a category of accommodations used by a student in reading/language arts may differ from that used for mathematics. Therefore, the category of accommodations that a student uses is reported separately for reading/language arts and for mathematics by use of special codes. Accommodations for students with disabilities may not necessarily be appropriate to students with limited English proficiency. The State IDEA advisory committee will continue to study and issue a listing of accommodations that reflects a student's disability status. The State Task Force on Limited English Proficient Students will continue to study and issue a listing of accommodations that reflects the relative proficiency level of each LEP student.

Upon receipt of each year's assessment data from the State assessment contractor, the Department of Public Instruction reviews information regarding the types of accommodations reported. The Department of Public Instruction will contract with an independent contractor in 2004 to conduct a review and comparison of student achievement scores between those students who used no accommodations and those who used any respective category of accommodations, by content area (reading/language arts and mathematics).

B7: *Does the State monitor the application of inclusion policies at the local level?*

(a) Special education monitoring.

The Department of Public Instruction conducts an annual census of special education students statewide through the Special Education Child Count survey. Data are collected on the number of students and their demographics for whom individual education programs have been developed. Following the annual administration of the State assessment, the Department of Public Instruction conducts an alignment and reconciliation of all student assessment participation with the ND Child Count census. The purpose of this audit is to validate the inclusion of all special education students within the State assessment System. Internal Department auditors compare the number of special education students within a school/district with those recorded on the demographics information of the students' test forms. Refer to **Appendix N: North Dakota State Assessment Program, Test Coordinators Manual** regarding the information collected on every student participating in the State assessment. These demographic codes are used to disaggregate information and to verify appropriate participation and inclusion rates. Refer to **Appendix N: North Dakota State Assessment Program, Test Coordinators Manual** regarding the stated inclusion policy for all students participating in the State assessment.

In the event of any discrepancies, the Department auditors require the school/district to correct the information on the test form or to offer an accounting for any unresolved discrepancies. Such discrepancies are recorded and included into the school/district's official monitoring report as a compliance violation. All monitoring violations are reported to the school/district's administration and governing board.

(b) Limited English Proficient monitoring.

Every student who participates in the State assessment completes information regarding their proper demographic standing, including their status regarding limited English proficiency. Teachers are to validate the entry of these students or to assist these students by correctly completing the demographic information if the students are unable to do so. Refer to **Appendix N: North Dakota State Assessment Program Test Coordinators Manual** regarding the information collected on every student participating in the State assessment. These demographic codes are used to disaggregate information and to verify appropriate participation and inclusion rates. Refer to **Appendix N** regarding the stated inclusion policy for all students participating in the State assessment.

The State conducts an annual survey of North Dakota schools concerning LEP students (**Appendix X: North Dakota Limited English Proficient Student Survey**). The survey solicits information on numbers of students assessed by a State-approved language proficiency assessment. This assessment to assess all LEP students on an annual basis is a component of each district's Consolidated Application for ESEA funding. Department personnel follow through on discrepancies in applications, surveys, and assessment information.

The Department of Public Instruction audits participation policies in the following ways:

- Cross-reference LEP inclusion rates, using data from assessment forms, statewide LEP survey and Statewide Data Analysis and Reporting System.
- Review policies and participation rates by Statewide LEP committee.
- Provide training and onsite technical assistance for schools with large LEP populations.
- Seek technical assistance from various advisory committees regarding monitoring, surveying and training activities.

(c) Statewide Data Analysis and Reporting System

The Department of Public Instruction has contracted with TetraData Corporation to develop and administer a statewide data analysis and reporting application. This data analysis and reporting application will allow for the linkage of various databases in order to track individual student, staff, and institutional achievement levels.

Included in this application is the capability of the State to compile, compare, and validate student participation rates on all State assessments. Official student files will be linked to State assessment files to confirm the accuracy of demographic and student service plans in order to capture the appropriate status of each student. This will offer the State a highly reliable auditing capability. This will ensure the proper placement of all students with respective subgroups and further ensure their inclusion within the State's assessment and accountability system. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of the project. Refer to Section I for further information.

With the development of this statewide data analysis and reporting system, the State will improve its ability to collect, compile, analyze, and report all accountability measures and ensure the proper inclusion of all students within North Dakota's assessment system.

Part II: The Core of the Assessment System

C. Assessments Must Be Aligned to Standards.

- C1.** *What is the State's approach to ensuring alignment of its standards and assessments? What kinds of alignment studies have been done? Who was involved? What methodology was used? What were the findings?*

Guidance for all State standards and assessment development in both policy and procedure is embodied in the North Dakota Standards and Assessment Development Protocols. Refer to **Appendix C: North Dakota Standards and Assessments Development Protocols**, <http://www.dpi.state.nd.us/standard/content/toc.pdf>, and its earlier presentation in Section A4. The Protocols describe process criteria common to the development of all North Dakota content and achievement standards and standards-based assessments: research-based methodology, multi-representation participation from the North Dakota education community, and continuous renewal, i.e., reiteration.

The North Dakota English Language Arts Achievement Standards and the North Dakota Mathematics Achievement Standards are the link between the State's content standards and the State's assessment. Refer to **Appendix G: North Dakota English Language Arts Achievement Standards** and **Appendix E: North Dakota Mathematics Achievement Standards** or refer to the following website: <http://www.dpi.state.nd.us/standard/perform/index.shtm>. The alignment process, anchored in North Dakota teacher participation, began with the development of the reading and mathematics content standards. The achievement standards were then written to provide the reference point for establishing cut-scores (i.e., the CTB/McGraw-Hill Bookmark Standards-Setting process) for the State assessment. It concluded with the publication of the announcement by the State Superintendent that the alignment process was conducted with professional integrity and was reflective of industry standards.

The alignment process began with North Dakota teachers researching what students should know and be able to do in the content standards and setting high expectations for student achievement in the achievement standards. This process then engaged assessment experts from CTB/McGraw-Hill to conduct the Bookmark Standards-Setting. Throughout this process, the Department of Public Instruction, provided oversight, guidance, and external review of the entire process. Refer to **Appendix Z: Standards, Assessments, Learning and Teaching (SALT) Team Membership**.

The **North Dakota State Assessment: Technical Report**, for 2001-02 and 2002-03 (refer to **Appendix Q**) describes in detail the process for developing and selecting assessment items to ensure alignment to the standards (Part 3, Tables 3.1, 3.2, and 3.3). North Dakota teachers (See **Appendix AA: North Dakota State Assessment, Standards Alignment Committee Membership**) and CTB/McGraw-Hill content experts conducted this selection in August 2001.

The **North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts** (refer to **Appendix K**, and its earlier development within Section A4) describes the Objective Match study conducted by CTB/McGraw-Hill with the participation of approximately 60 North Dakota mathematics and reading teachers (equally distributed by grade-level and representative of special populations, e.g., special education, Title I, and ethnicity). The Objective Match included the identified North Dakota content standards determined to be essential skill and knowledge for students at grades 4, 8, and 12. The total number of assessment items included in both the Basic Multiple Assessment section and the Custom Supplement section. Coverage is indicated by the number of total items assessed in each category.

The State will conduct an extensive depth and breadth analysis of the State assessments to the State's content and achievement standards following the issuance of the next contract for the State assessment. This analysis is addressed in A5 and in C2.

C2. *How is the state ensuring that its assessment system reflects its content standards in terms of comprehensiveness and emphasis?*

North Dakota mathematics and reading teachers aligned the *Terra Nova* component of the State assessment with the State's content standards and selected items for the Custom Supplement component of the State assessment from CTB/McGraw-Hill's item pool to match North Dakota's content standards for each subject area. This process is explicated in the **North Dakota State Assessment: Technical Report, Sections 3 and 5**, attached as **Appendix Q**.

The State assessment blueprint comparing the number of North Dakota mathematics, reading, and English language arts benchmarks with the number of assessment questions was prepared by CTB/McGraw-Hill and appears as **Appendix K**. This comprehensiveness and emphasis analysis constituted an operational study and has not been independently validated. The State will conduct an extensive independent validation of its forthcoming assessment following the issuance of a contract with the next

assessment vendor following January 2004. The State will contract with an independent consultant who will work in cooperation with the State's assessment contractor and North Dakota teachers to conduct the validation of the primary contractor's comprehensiveness and emphasis analysis. This validation activity will constitute a critical component of the State's efforts to independently confirm and improve the quality of the State assessment.

CTB/McGraw-Hill has provided the State with industry standards and models on alignment, developed a draft depth-and-breadth alignment framework, and is now working with Dr. Norm Webb to refine and adapt the CTB/McGraw-Hill alignment process. Dr. Webb, from the University of Wisconsin-Madison, is widely recognized as a leading national expert on alignment of standards and assessments, and his work in this area is frequently cited.

Alignment studies involve the use of expert review, preferably with *internal* content experts from North Dakota teachers, *external* content experts from outside the State, and document analysis (e.g., review of state standards, supporting documents such as performance indicators or grade-level standards, and state curriculum guides). Information from the State's standards and assessments are coded, reviewed and analyzed. Each grade level and content area is considered separately. Four key analyses are suggested by Dr. Webb. Criteria to determine "acceptable" for each area will be jointly determined by the independent contractor and the Department of Public Instruction.

In consultation with the SALT Team, the Department of Public Instruction will administer a thorough analysis of the current State assessment regarding its rigor of higher order thinking skills and understanding. The Department of Public Instruction will contract with an independent, outside consultant to conduct this analysis with the cooperation of the State's new assessment contractor. The State had originally proposed to conduct this depth and breadth analysis during 2003; however, the State has delayed this analysis until the State's new assessment vendor is selected in January 2004. The analysis will study the next generation of State assessments, thereby better utilizing limited State resources. The depth and breadth analysis will be conducted in 2004 as a baseline evaluation of the new State assessment in anticipation of its enhancement with future replacement items and the future development of other grade-level assessments as itemized within the RFP of the next State assessment. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**. It is anticipated that the project will convene educators from across the State, including classroom teachers, administrators, content specialists, and university professors, to conduct an audit of the current State assessment in terms of an agreed upon evaluation criteria. The

independent contractor will work with the Department of Public Instruction to develop an appropriate assessment tool aligned to predefined criteria. This evaluation tool would evaluate the State assessment against five levels of increasing difficulty: (1) identity and recall; (2) use of concepts; (3) explanation and reasoning; (4) evaluation and extension; and (5) integration and performance.

Actual student achievement impact data generated during 2001-2004, will be used to evaluate the assessments' rigor. Refer to **Appendix V: North Dakota Assessment Results, Composite Results** for the initial student achievement results from the State's administration years, 2001-03. Furthermore, the analysis project will compare student achievement data generated with the State assessment with that data generated with the National Assessment of Education Progress (NAEP) in terms of overall achievement level comparisons, subgroup comparisons, and relative intervals of scale score spread.

The results of this analysis of the State assessments' rigor will be incorporated into the design of future assessments. All subsequent RFPs for the State assessment will include a schedule for the improved quality of constructed-response test items. In consultation with the SALT Team, the Department of Public Instruction has developed a policy requiring future RFPs to incorporate the recommendations of the Education Leaders Council, *Model Contractor Standards & State Responsibilities for State Testing Programs, 2002* (refer to **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>). The Department released the first RFP in October 2003 to reflect these standards.

C3. *How is the State ensuring that its assessment reflects its content and performance standards in terms of depth and match with achievement standards?*

How is the State ensuring that its assessment covers the range of cognitive complexity of its standards, not just the basic skill? How is the State ensuring that the assessments actually reflect the types of student performance called for in the achievement standards?

Acknowledging that student assessment is inherently a process of professional judgment, North Dakota will continue to build upon the measurement and evaluation of student performance based on the informed, collaborative judgments of the State's educators. The multiple factors that influence student motivation and learning will be considered as well as the concept of standard error wherein standard settings and reliability coefficients will be integrated. The CTB/McGraw-Hill Bookmark

Standards-Setting process in which North Dakota teachers create test scales, based on achievement levels (i.e., levels of proficiency) as measured against North Dakota standards, will be maintained as both the State's standards and the assessment instruments evolve. North Dakota will perform a continuous audit of student achievement, employing alignment studies as explained in C2 and described in the **North Dakota State Assessment, Bookmark Standard Setting Technical Report, 2002** (refer to **Appendix R**), Section E, so that consensus on reliability, validity, and fairness can be achieved. It is understood that as the State's assessments expand to grades 3-8 and 11, inclusive, the Bookmark Standard Setting methodology, or its equivalent, will be applied similarly.

In consultation with the SALT Team, the Department of Public Instruction has developed a long-term mechanism for the ongoing replacement of test items. This replacement plan has been written into the next generation of Requests for Proposal documents released in October 2002 (refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**). The Department has identified as a high priority (1) the administration of an independent audit of the current State assessment's breadth and depth of standards coverage, (2) the expansion of high-quality constructed-response test items, and (3) the advancement of discussions with other States to collaborate in the development of high quality test items and other assessment strategies.

(1) *Test item rigor analysis.* The Department of Public Instruction will conduct a thorough analysis of the current State assessment regarding its rigor of higher order thinking skills and understanding, as outlined in C2. The Department will contract with an independent, outside facilitator to conduct this analysis. The depth and breadth analysis will be conducted in early 2004 to coincide with the development of the State's next State assessment. This study will anticipate the development of future replacement test items and the future development of other grade-level assessments. This study project will convene educators from across the State, including classroom teachers, administrators, content specialists, and university professors, to conduct an audit of the current State assessment in terms of an agreed upon evaluation criteria. This study evaluation tool would guide study participants in evaluating the State assessment against five levels of increasing difficulty: (1) identity and recall; (2) use of concepts; (3) explanation and reasoning; (4) evaluation and extension; and (5) integration and performance.

(2) *Item replacement policy.* It is the long-term commitment of the Department of Public Instruction to employ an item-replacement model that steadily increases the number and quality of constructed-response test items, including greater use of extended constructed-response items. The Department has issued an RFP for the State assessment's revision and

expansion that includes provisions for item replacement and enhancement (refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**). In consultation with the SALT Team, the Department of Public Instruction has developed a policy requiring future RFPs to incorporate recommendations within the Education Leaders Council, *Model Contractor Standards & State Responsibilities for State Testing Programs, 2002* (refer to **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>).

- C4.** *How clearly has the State identified any gaps or weaknesses and what is it doing to improve the alignment of its assessment standards?*

By adherence to the State's Standards and Assessment Protocols (**Appendix C: North Dakota Standards and Assessments Development Protocols**, <http://www.dpi.state.nd.us/standard/content/toc.pdf>), described in C1 and C2, the State will refine its Test Bank items in the State assessment. The State's RFP for the next generation of State assessments provides for the replacement of test items according to a set schedule and operational method. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**. As new test items are generated, the standard process of test item selection and pilot testing will be engaged and comprehensiveness-and-emphasis and depth-and-breath frameworks criteria will be incorporated into the test construction, as outlined in C2. Subsequent State RFPs likewise will require the incorporation of such analyses within all future generations of State assessments.

- C5.** *If the State system consists of several assessments or draws upon assessment data from several sources, is there a coherent design that shows how all the standards are assessed?*

The State assessment consists of a standard assessment tool (i.e., the current CTB/McGraw-Hill augmented assessment) for most students and the North Dakota Alternate Assessment for students identified with significant disabilities. Each assessment tool appropriately references the State's content standards for its respective application. Each assessment tool reports out student achievement in terms of the State's defined achievement levels. Both assessment tool's composite student achievement results are combined within a unified statewide accountability system.

The State assessment consists of a single, statewide measure of student achievement. The coherence of the State assessment system resides in the development of its challenging standards, its comprehensive assessment

design, and the implementation of a single State assessment. No other assessments are referenced or drawn upon within the State assessment.

C6: *How is the alignment of the assessment and the standards communicated? Is it clear to educators and parents what is being assessed and how it relates to the standards?*

Procedures for development of the State assessment as well as assessment results are communicated through a variety of means to students, parents, teachers and administrators in terms of standards and benchmarks, as described below.

- Reports developed by the Department of Public Instruction and delivered to schools by the state contractor, CTB/McGraw-Hill (see enclosed **Appendix S: North Dakota State Assessment Reports**) are presented in terms of standards and benchmarks. The four types of reports include the Student Report, Content Standard Performance Report, Content Standard Summary Report, and Summary Report, described below.
- *Student Report.* Each student and his or her parents receive a report of proficiency level (novice, partially proficient, proficient, or advanced) for each standard in mathematics and reading, and overall across each of the two domains. A narrative describes what knowledge and skills define each of the four proficiency levels. In addition, percentage of points earned for each benchmark is included. The reverse side of the Student Report provides a brief description of the North Dakota reading and mathematics assessments, how it was developed, how to interpret the information, how to access the standards, and steps to take to work with the school to raise all students' achievement.
- *Content Standard Performance Report.* This report provides to educators, at the classroom level and for each student, data on the proficiency level for each standard in mathematics and reading, the percentage of points earned on each benchmark, and overall proficiency level. For comparison purposes, average percentage correct by benchmark is provided for the class, school, school district, and statewide. The reverse side presents information for educators on the content and achievement standards, and includes the narrative description of each of the four levels of proficiency.
- *Content Standard Summary Report.* This report presents, by standard, the number and percentage of students at the state, school district, and district level who are at each of the four levels of

proficiency. The reverse side describes North Dakota content and achievement standards.

- *Summary Report.* This school and school district level report provides summary data on the number and percentage of students at each of the four levels of proficiency at the state, school district, and school level. In addition, summary statistics on numbers of students reported, having no valid attempt, invalidated, and eligible for the Alternate Assessment are presented. The reverse side describes State content and achievement standards.
- Department of Public Instruction's website documents current and developing standards. State content and achievement standards are enclosed as **Appendices D, E, F, and G** and can be accessed at the following websites:
<http://www.dpi.state.nd.us/standard/content.shtm> and
<http://www.dpi.state.nd.us/standard/perform/index.shtm>.
- A letter from State Superintendent Sanstead informed administrators, educators, school boards, the North Dakota University System, and others of the cut score process that defined levels of proficiency based on standards, participants in the process, the assurance of technical quality of the process, and the range of scores for each level of proficiency. These materials are enclosed as **Appendix U: State Superintendent's Approval Notification of North Dakota State Assessment Cut Scores**.
- Eighty-four of the 146 educators who participated in the cut score process (Bookmark Standard Setting) delivered presentations to administrators and colleagues on the activity, including its basis in standards. A listing of Bookmark Standard Setting panelists is enclosed as **Appendix BB: Bookmark Standard Setting Committee Membership**.
- The Standards Awareness Team consists of 25 individuals from the Department of Public Instruction and state universities, as well as school administrators and teachers. All have been intimately involved in the development and implementation of State standards. Upon request, one or more team members conduct professional development activities for school administrators and teachers, focusing on standards, the State assessment, and alignment of curriculum to standards. They also provide presentations tailored to the needs and requests of educators, parent groups, service organizations, and others. The listing of team members is enclosed as **Appendix CC: Standards**

Awareness Team, and can be accessed at the following website:
<http://www.dpi.state.nd.us/standard/team/index.shtm>.

- The North Dakota Curriculum Initiative (NDCI) is funded by the Department of Public Instruction to provide training to school district teams and to facilitate communication among school district personnel. The focus is on aligning curriculum to standards, and using assessment data for school improvement purposes. Consultants from Mid-continent Research for Education and Learning frequently facilitate training, which is conducted quarterly. A description of the NDCI is enclosed as **Appendix DD: North Dakota Curriculum Initiative**, and can be accessed at the following website: <http://www.ndsu.nodak.edu/ndci/index.php>.
- School Profiles and Report Cards are prepared annually by the Department of Public Instruction, consistent with federal requirements. The School Profile presents school building level student achievement data based on standards (as opposed to previous reporting based on NCEs). The format is illustrated in **Appendix T: North Dakota Sample School Profile, School Report Card**. Electronic versions of the School Profile are accessible at the following website: <http://www.dpi.state.nd.us/dpi/reports/profile/index.shtm>. Schools will inform all parents of the availability of the School Profile, as well as how it can be obtained electronically or in paper format.
- The North Dakota LEAD Center, a state supported professional development center for school administrators used North Dakota State Improvement Grant funding awarded to the Department of Public Instruction by the Office of Special Education Programs, U.S. Department of Education, to develop a four-day training module on using test data for school improvement. A significant portion of the training is devoted to understanding, analyzing, and interpreting the standards-based State assessment reports.
- The Department of Public Instruction communicates elements of the State assessment system through regional meetings for administrators, interactive video network sessions for educators, presentations by Department personnel at professional development events provided by individual school districts, presentations at conferences sponsored by the Department and professional organizations of administrators, teachers, school counselors, North Central Accreditation, and others.

Part II: Professional Standards of Technical Quality

D. Meeting Professional Standards of Technical Quality

- D1.** *How has the State considered the issue of validity (in addition to the alignment of the assessment with the content standards) and taken steps to ascertain that the assessments are measuring the knowledge and skills described in the standards—and that the interpretations are appropriate?*

Has the State specified the purposes for the assessments, delineating the types of uses and decisions most appropriate to each?

Validity denotes the appropriateness, meaningfulness, and usefulness of any inferences made from an assessment tool. As such, validity addresses whether an assessment truly assesses what it is supposed to assess and whether it will lead any user to an appropriate understanding and application of results. The State's Assessment System imbeds the elements of content validity (alignment to State content standards), item design validity, related assessment validity, and consequential validity.

(a) Content validity (alignment to State content standards).

Section C1 above identifies the activities conducted by the State to assure that all test items are aligned to the State's content standards. This review of content coverage, conducted by North Dakota teachers, offers assurance that the State assessment indeed does assess student achievement in terms of the State standards in breadth. North Dakota teachers affirm that the State assessment does assess the breadth of the standards and that each standard is covered sufficiently to generate meaningful results. As presented within Section C, future independent analysis will ensure that the breadth and depth of the State assessments reflect appropriately the State's challenging content and achievement standards. As reported by the evidence in Section C1, each standard is identified and is supported by a sufficient number of items to offer enough data to reach a valid indication of a student's performance.

(b) Test design validity.

The construction of individual test items and the test as a whole is a critical element of validity. Additionally, the effects of any test item or the test as a whole on subgroups of students similarly becomes an element of validity. The Department of Public Instruction has contracted with

CTB/McGraw-Hill to develop and administer an augmented, multiple measures assessment at each respective grade level. These assessments meet high technical specifications to assure validity, reliability, and comparability, thereby offering confidence in the application of any information gained through the use of the assessments.

Refer to **Appendix J: North Dakota State Assessment, Test Specifications** for a summary review of the technical specifications incorporated within the State assessment. This summary identifies a variety of factors that impact test validity and the appropriate use of acquired information. Refer to pages 1-11 of **Appendix Q: North Dakota State Assessment, Technical Reports**, for actual impact data supporting the overall validity of the State assessment.

Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment** for an overview of the quality assurances regarding future technical specifications for the State assessments.

(c) Related assessment validity.

An inherent consideration confirming the validity of any assessment is how well it correlates with other assessment tools of comparable quality. To quantify comparability among differing assessment tools requires an ability to directly link individual student achievement among different assessment tools. To do so requires a data analysis and reporting tool capable of managing such linkages among different databases.

The State of North Dakota has never possessed the ability to track the performance of individual student or system performance levels in a meaningful manner based on quality, disaggregate data analysis. The State has never owned, developed, or accessed a single, statewide student data system. This absence of a statewide data system has resulted in an inability to access accurate, meaningful information regarding student demographics, student achievement levels, school performance, teacher quality indicators, systemic improvements, or statewide systems monitoring. In the area of assessment, this absence of a statewide data system has resulted in an inability to sufficiently study correlations of student achievement among assessment tools or instructional methods of varying quality.

To eliminate these deficiencies and to advance meaningful school improvement measures, the Department of Public Instruction contracted with TetraData Corporation, in October 2002, to develop and administer a statewide data analysis and reporting system. This data analysis and

reporting system allows for the linkage of various databases in order to track individual student, staff, and institutional achievement levels, including the correlation of student achievement across different assessment tools. The development of the various district and statewide data warehouses has proceeded throughout 2002-03 according to a prescribed schedule. The State has initiated a second-level contract with Tetra-Data Corporation to establish a statewide, uniform student identification system. This identification system will ensure a higher degree of reliability in the linking of student demographic data, student achievement results, and school infrastructure data sets.

Included in this capability, is the capacity of the State to compile, compare, and validate student achievement on all grade-level State assessments and to compare these to other assessment tools or classroom grading. Official student files link to State assessment files which will in turn link to other assessment tools and classroom grading in order to conduct correlation studies. This functionality offers the State a highly reliable auditing capability, thereby ensuring a high degree of confidence in any correlation study. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of the project. The system has been established statewide and training is ongoing.

With the development of this statewide data analysis and reporting system, the State can monitor and confirm the contextual validity of its State assessment.

(d) Consequential validity.

The fundamental purpose for the administration of any assessment is to learn how well individual students and populations of students perform against a standard. The intended consequence of such learning is to apply this knowledge to the improvement of instruction for each student individually and for all students collectively and by subgroup. Consequential validity means that the State assessment is designed in such a manner as to accomplish this aim with end users. Does the assessment lend itself to reaching correct conclusions from the data?

North Dakota has never conducted follow up studies to record the application of its assessments to enhance instruction. This analysis has never been attempted because of the difficulty in accurately measuring the effort of schools to integrate assessment data into school improvement or, more importantly, measuring the effect of such improvement efforts on students' achievement. Beginning with the 2001-02 baseline data generated through the first administration of the standards-based State

assessment, the State will begin a process of confirming the contextual validity of its State assessment.

As indicated in section D1(c) above, the Department of Public Instruction contracted with TetraData Corporation to develop and administer a statewide data analysis and reporting system. This data analysis and reporting system will link various databases in order to track individual student, staff, and institutional achievement levels, including the correlation of student achievement across different assessment tools. Additionally, the Department of Public Instruction will contract with an independent, outside contractor to conduct a study of how well schools use the data from the State assessment to improve standards-based instruction.

This study will use survey tools with teachers and administrators to assess the degree that data from the State assessments are used for overall school improvement, especially instruction. This study will also survey the efforts of school personnel to reform instructional practices. Finally, this study will use the data linkage and analysis functions within the TetraData application to measure actual student achievement. Because student cohorts can be linked to teachers and schools who engage in reform activities, meaningful measurements can be derived on the effects of these efforts. Specific attention can be made to track the broad effects of using State assessment data to improve instructional areas identified as deficient in the data.

North Dakota State University, Fargo, ND, has been the recipient of a multi-year service grant designed to build collaborative efforts statewide for the expressed purpose of advancing curricular and instructional reforms. Titled the North Dakota Curriculum Initiative, this State-funded grant convenes curriculum specialists, assessment specialists, principals, teachers, and regional service providers together to study actual state achievement data and to apply research-based strategies to improve the educational system's effectiveness. The Curriculum Initiative has advanced the analysis of the State assessment data with the aid of the TetraData analysis tools to focus the attention of educators on student achievement at the subject level, the standard level, and the specific instructional benchmark level. The State supports this effort to apply an analysis tool onto achievement data in order to diagnose deficiencies and to prescribe remedial measures in curriculum and instruction.

The State seeks to implement a valid assessment and accountability system. Evidence of such an effort will be marked by the State's ability to monitor the alignment of its assessment to State content standards, to assure high technical specification in the development of its State assessment, to correlate the State assessment with other outside

assessments and classroom grading, and to assure the meaningful application of the assessment for school reform.

- D2.** *(a) How comprehensively has the State determined that its assessments provide consistent and reliable results for individual students, schools, and LEAs? Is reliability data available for school classifications, student scores, and student classification (performance level);*
- (b) Does the State include information in its reports about the level of reliability of its scores (standard error)?*

Reliability denotes internal accuracy and consistency in generating achievement data and in reporting with confidence on an assessment's results. Reliability requires attention and effort to reduce the effects of error within an assessment system.

The Department of Public Instruction has contracted with CTB/McGraw-Hill to develop and administer an augmented, multiple measures assessment at each respective grade level. These assessments meet high technical specifications to assure validity, reliability, and comparability, thereby offering confidence in the application of any information gained through the use of the assessments.

Refer to **Appendix J: North Dakota State Assessment, Test Specifications** for a summary review of the technical specifications incorporated within the State assessment. This summary identifies a variety of factors that impact test reliability and the appropriate use of acquired information. Refer to of **Appendix Q: North Dakota State Assessment, Technical Report**, for actual impact data supporting the overall reliability of the State assessment. This technical report identifies the design and actual performance of the State assessment regarding score reliability; score scaling, equating, and standard setting; test difficulty and reliability; item difficulty and discrimination; scoring, performance level determination, and standard error measurements; and inter-rater reliability of constructive response items.

The State assessment system provides achievement data at the state, district, school, and student levels through specifically designed achievement reports. These reports identify the overall achievement level within the subject, within each standard, and for each benchmark. Refer to **Appendix S: North Dakota State Assessment Reports** for the respective reports issued through the State assessment system. All reports are predicated on the State assessments validity and reliability assurances as evidenced in **Appendix Q**, the technical reports.

D3. What steps has the State taken to ensure the fairness and accessibility of the assessments?

CTB/McGraw-Hill addresses test bias and fairness through application of procedures described in its *Terra Nova Technical Bulletin*. Item selection was done by content experts and reviewed by psychometric staff at CTB/McGraw-Hill. The tryout of items provided empirical data used to select items. Four procedures were used to reduce bias. First, careful attention was given to content validity. Second, item developers and internal review personnel followed CTB/McGraw-Hill guidelines to reduce or eliminate bias as directed in *Guidelines for Bias-Free Publishing* (McGraw-Hill, 1983) and *Reflecting Diversity: Multicultural Guidelines for Educational Publishing Professionals* (Macmillan/McGraw-Hill, 1993). Multicultural bias is particularly important within North Dakota, especially for Native American students, which is the State's second largest ethnic subgroup. In the third procedure, educational community professionals who represent various ethnic groups, including Native Americans, reviewed all tryout materials for language appropriateness, subject matter, and representation of people. Finally, item bias studies were conducted. Relevant excerpts from the *Technical Bulletin* describe these procedures and related outcomes in greater detail, and are enclosed as **Appendix EE: TerraNova Technical Bulletin Excerpts Describing Item Fairness and Sensitivity**. See also **Appendix Q: North Dakota State Assessment, Technical Report** for a brief discussion of fairness procedures.

Test items for the *North Dakota State Supplement*, the customized augmentation of the *CAT/Terra Nova* second edition, were selected from the test item bank of CTB/McGraw-Hill. These items had gone through the tryout phase of item development, and the same procedures for ensuring fairness and sensitivity were applied to these items as to those contained in the *CAT/Terra Nova* second edition.

North Dakota teachers further reviewed these test items for content and bias relative to North Dakota students. For a small number of items, names were changed, some passages were eliminated, and other minor modifications were made.

Following test administration, CTB/McGraw-Hill conducted differential item functioning (DIF) analysis to detect group differences in test performance based on gender and ethnicity. Results identified eight math and 25 reading items showing DIF. However, only one item on the grade 12 math component was associated with the DIF statistic that was sufficiently large to merit attention. DIF was in favor of the Native American and Asian-

American ethnic categories. For a complete description of the analysis, see **Appendix Q: North Dakota State Assessment, Technical Report, Part 5.**

The issue of fairness is also addressed through the use of accommodations for students with disabilities, those on a Section 504 Accommodation Plan, and those with limited English proficiency. Testing accommodations and instructions in their appropriate use are presented in **Appendix N: North Dakota State Assessment Program Test Coordinator's Manual**, pages 33-35. The Department of Public Instruction distributed *Policy Directions*, Volume 7, from the National Center for Educational Outcomes, to provide guidance to all North Dakota schools regarding accommodations. Identification of accommodations used with individual students was first required for the 2002 State assessment. Refer to **Appendix N: State Assessment Program Test Coordinator's Manual**. The Department of Public Instruction will conduct an analysis of the extent to which accommodations are used, and any discernable, patterned impact on student achievement scores.

Accommodations used with individual students will be studied in terms of the likely impact of accommodations on achievement scores. This will offer direction to school personnel who interpret test results for individual students. Two publications have provided guidance in determining the extent to which accommodations may impact test scores: *State Participation and Accommodation Policies for Students with Disabilities: 1999 Update* published by the National Center of Educational Outcomes, and *Assessment Accommodations Supplement*, developed by CTB/McGraw-Hill (2000). The State will conduct further study of the effect of accommodations on student achievement levels.

The North Dakota Alternate Assessment was used with students who met all three criteria stated by the Department of Public Instruction, Office of Special Education. See **Appendix N: North Dakota State Assessment Program Test Coordinator's Manual**. The Alternate Assessment is a standards-based portfolio approach to assessment that requires considerable data collection by service providers. It is scored by a panel of special educators using rubrics, and yields a level of proficiency for mathematics and reading.

Part I-B, Inclusion, provides discussion and evidence of State assessment accessibility, including information on numbers of students assessed by grade, and by disaggregate group.

D4. *How are multiple measures used to meet the criteria of validity, reliability, and fairness?*

(a) Are diverse item formats used appropriately to elicit student behaviors consistent with the standards?

(b) Are multiple measures used to increase the reliability of student and/or school classifications that have high stakes consequences?

The State assessment provides selective- and constructed-response items by which students demonstrate their performance against the State's standards. Refer **Appendix J: North Dakota State Assessment, Test Specifications** and **Appendix K: North Dakota State Assessment Blueprint for Mathematics and Reading/Language Arts** for a summary on the test design. Selective-response items provide an ability to sample a greater number of knowledge and skill points. Constructed-response items provide an opportunity for students to demonstrate their actual knowledge based on their unique manner of expression. Constructed-response items appear on standards and benchmarks best assessed through actual demonstration. Together the selective- and constructed response items provide a generally robust assessment tool.

The State assessment provides an overall balance between sufficient coverage of standards found through the use of selective-response test items and actual demonstrations found in constructed-response test items. The State seeks a balance between these two types of test items. Performance data indicate the achievement of this balance. Refer to **Appendix Q: North Dakota State Assessment, Technical Report** for a summary of the test's overall reliability.

In consultation with the SALT Team, the Department of Public Instruction has developed a long-term plan for the ongoing replacement of test items with additional selective- and constructed-response test items. This replacement plan has been incorporated into the recently released RFP for the next generation of the State assessments. The Department of Public Instruction has identified, as a high priority, (1) the administration of an independent audit of the current State assessment's breadth and depth of standards coverage, (2) the expansion of high-quality constructed-response test items, and (3) the advancement of discussions with other States to collaborate in the development of high quality test items and other assessment strategies.

D5. *In what way does the State ensure that the assessment results are comparable for different schools and for different years.*

The State assessment, by design, maintains consistency in its scaling from year to year. Refer to the presentation on scaling in **Appendix J: North Dakota State Assessment, Test Specifications**. Additional information related to scaling and scoring are identified in sections 2, 5 and 6 of **Appendix Q: North Dakota State Assessment, Technical Report**.

The State assessment is the only assessment tool permitted; therefore, its design, administration, scoring, and reporting apply to all schools statewide. There is comparability among all schools.

School year 2001-02 represented the first time the State's standards-based State assessment was administered. This administration represented the baseline year for all data and procedures. It is anticipated that future test iterations will be comparable in design and administration. Future State assessment contractors will be required to evidence comparability in scaling and to undergo standards setting activities that likewise ensure comparability among testing instruments. Refer to **Appendix KK: Requests for Proposals for Implementation of the North Dakota State Assessment** for evidence of ensuring comparability among testing instruments. In consultation with the SALT Team, the Department of Public Instruction has developed and incorporated into the current State assessment RFP a long-term plan for the ongoing replacement of test items with additional selective- and constructed-response test items. The Department of Public Instruction has instituted assurances that any future assessment improvements be reconciled on a comparable scale with the current assessment tool, thereby ensuring continuity from year to year.

In consultation with the SALT Team, the Department of Public Instruction has approved the adoption of certain long-term improvements in the development of assessment RFPs. These improvements have been incorporated into the current RFP for State assessments. These improvements are identified within the white paper, *Model Contractor Standards and State Responsibilities for State Testing Programs*, Education Leaders Council, 2002. Additionally, the Department of Public Instruction has adopted several innovations identified by other States and developed within the white paper, *State Innovation Priorities for Testing*, Education Leaders Council.

- D6.** *What evidence does the State have that its administration, scoring, analysis, and reporting procedures consistently meet high technical standards?*

Administration. The *North Dakota Test Coordinator's Manual* provides standard instructions to school personnel regarding test administration and coding of personally identifiable demographic and special codes data for each student enrolled in a school. Rules concerning invalidation, inclusion of all students, and use of accommodations are addressed as well. See **Appendix N: North Dakota State Assessment Program, Test Coordinator's Manual**. This document can be accessed at the following website: <http://www.dpi.state.nd.us/testing/assess/index.shtm>.

In addition, the *Test Directions for Teachers* document is provided to guide administration of the *CAT/Terra Nova* second edition, and the *Test Directions for the North Dakota State Assessment Supplement* document instructs test administrators regarding the customized *State Supplement*. See **Appendix O: North Dakota State Assessment, Test Directions for Teachers**, and **Appendix P: Test Directions for the North Dakota State Assessment Supplement**.

Scoring. The State assessment is comprised of two types of items: selective response and constructed response. Student responses to selective response items are machine scored, and item parameters associated with this type of item capture the difficulty, discrimination, and guessing associated with each item.

Constructed response items are scored by CTB/McGraw-Hill's Hand-scoring Department. Each item has an associated scoring rubric, and scorers receive extensive training in the use of carefully developed scoring guides. The training and monitoring include empirical determinants of reader readiness such as check-sets, read-behinds, and double-blind reads. Reading, language arts, and mathematics items show generally good inter-rater adjacent agreement. Within the baseline year of the State assessment, all mathematics items except one at grade 12 were above 95% adjacent agreement (i.e., at least 95% of raters agreed within one point of each other when scoring the mathematics constructed response items). The one exception had 92% adjacent agreement. Most of the reading/language arts items showed good adjacent agreement as well (above 95% agreement). Only one item at grade 8 showed less than this, with 89% agreement. On the grade 12 reading/language arts test, four items were below 95% adjacent agreement (86%, 90% for two, and 89%).

A complete description of scoring procedures is found in **Appendix Q: North Dakota State Assessment, Technical Report**.

Analysis. Item and test analyses were performed in two stages. In stage 1, CTB/McGraw-Hill researchers examined the raw data for reasonability using descriptive statistics, such as mean raw scores, item p-values, and point biserial correlations. Part 4 of the Technical Report shows the results of these analyses. In stage 2, CTB/McGraw-Hill researchers calibrated the data using IRT models. These analyses and their results are presented in Part 5 of the Technical Report. As further evidence of the technical quality of these results, CTB/McGraw-Hill outlined the steps taken to assure the quality of the data in a letter to the Department of Public Instruction. Refer to Dr. Karla Egan's letter is **Appendix U. State Superintendent's Approval Notification of North Dakota State Assessment Cut Scores**.

As final reports are received from CTB/McGraw-Hill, the Department of Public Instruction analyzes these reports, with the assistance of the Department's technical advisory committee. The Department makes these findings available to advisory committees, administrators, educators, the State Legislative Council, and the public. Data are examined to identify trends, unexpected changes in results from one year to the next, standard errors of measurement and related statistics. The CTB/McGraw-Hill technical report is studied each year to identify needs or concerns that might need to be addressed.

Reporting. All rules, requirements, and procedures for reading and compiling responses, bridging, assigning scores, and generating reports is contained in CTB/McGraw-Hill's internal *North Dakota Spring 2002 Technology Plan and Requirements* document. These specifications were determined jointly by Department of Public Instruction personnel and the CTB/McGraw-Hill North Dakota Contract Team. Similarly, the content, format, and type of State assessment reports (described within item **C6**, of the present document and enclosed as **Appendix S: North Dakota State Assessment Reports**) were developed jointly by the Department and CTB/McGraw-Hill. Prior to generating reports for North Dakota schools, the CTB/McGraw-Hill "Red Team Review" conducts intensive quality assurance reviews of all technical aspects of scoring, bridging, report printing and other features to verify accuracy and completeness of data. If problems are identified, they are solved, and the quality assurance procedures are repeated until all are verified as correct.

At the same time scoring is being done, CTB/McGraw-Hill transmits student demographic and special codes information electronically to the Department of Public Instruction where it is subjected to computer edits to identify data that are beyond accepted parameters. School district

administrators and testing coordinators are contacted and asked to correct demographics errors and provide complete data. Records are cross-referenced with school enrollment statistics, Child Count, surveys of schools regarding students with limited English proficiency, and the National School Lunch Program. Differences are identified and reconciled. When student records are received from CTB/McGraw-Hill, the student score data are merged with verified demographic and student codes data. Level of proficiency data for students using the Alternate Assessment are entered. Annual Adequate Yearly Reports and School Profiles and Report Cards are generated from the completed records.

D7. *What actions has the State taken to ensure that teachers, other educators, and parents properly interpret and use the results? How does the State help them take into account the accuracy of the results when making interpretations?*

The Department of Public Instruction has taken several actions to ensure proper interpretation and use of State assessment results, including those described under Section C (Alignment) and presented below.

- The content of reports developed by the Department of Public Instruction and delivered to schools by the state contractor, CTB/McGraw-Hill (see enclosed **Appendix S: North Dakota State Assessment Reports**) is presented in a relatively easy to understand format. Each report includes narrative descriptions of knowledge and skills for each of the four levels of proficiency, along with the range of scale scores used to define the four levels. Also presented are listings of standards and benchmarks along with the level of proficiency or percentage of points obtained for each, respectively; summary statistics presented in graphic and narrative format; and easily identified comparison data (i.e., state versus school district, versus school building, versus class).

The reverse side of each of the four types of reports (Student Report, Content Standard Performance Report, Content Standard Summary Report, and Summary Report) includes easy to read narrative explaining the report, directing the reader to other resources, and suggesting actions that would move the student forward in mastery of skills. Information presented on one report reinforces and reiterates some of that presented in other reports to increase reader familiarity with terminology (e.g., content standards, achievement standards, proficiency).

- A description of the cut score process used to define levels of proficiency was provided to all school administrators in the State.

State Superintendent Wayne Sanstead informed administrators, educators, school boards, the North Dakota University System, and others of the cut score process that defined levels of proficiency based on standards, described participants in the process, provided documentation of the technical quality of the process, and presented the range of scores for each level of proficiency. These materials are enclosed as **Appendix U: State Superintendent's Approval Notification of North Dakota State Assessment Cut Scores**. Further, all 146 educators who participated in the cut score process (Bookmark Standard Setting) received orientation and training on the basis for grounding assessment in the standards, the procedures used to prepare materials for the Bookmark Standard Setting, and how the results of the process would be used and applied to State assessment results. Eighty-four participants delivered presentations about the process to administrators, colleagues, and school board members in their school district, as well as to other audiences (e.g., university classes). A listing of Bookmark Standard Setting panelists is enclosed as **Appendix BB: Bookmark Standard Setting Committee Membership**.

- The Department has developed a summary, or primer, to the State assessment system. This primer, designed for educators, policymakers, and the public, presents an overview of the purpose, background, process, and reporting of the State's Assessment System. The primer presents a detailed breakdown of all State assessment reports and discusses the instructional use of assessment data. The primer explores issues related to the future development of the State assessments. Refer to **Appendix I: Understanding the North Dakota State Assessment, A Primer**.
- The Standards Awareness Team consists of 25 individuals from the North Dakota Department of Public Instruction and state universities, as well as school administrators and teachers. All have been intimately involved in the development and implementation of North Dakota standards. Upon request, one or more team members conduct professional development activities for school administrators and teachers, focusing on standards, the State assessment, and alignment of curriculum to standards. They also provide presentations tailored to the needs and requests of educators, parent groups, service organizations, and others. The listing of team members is enclosed as **Appendix CC: Standards Awareness Team**, and can be accessed at the following website: <http://www.dpi.state.nd.us/standard/team/index.shtml>.
- The North Dakota Curriculum Initiative (NDCI) is funded by the North Dakota Department of Public Instruction to provide training to

school district teams and to facilitate communication among school district personnel. The focus is on aligning curriculum to standards, and using assessment data for school improvement purposes. Consultants from Mid-continent Research for Education and Learning frequently facilitate training, which is conducted quarterly. The fall 2002 training addressed interpreting and using State assessment reports. A description of the NDCI is enclosed as **Appendix DD: North Dakota Curriculum Initiative**, and can be accessed at the following website:
<http://www.ndsu.nodak.edu/ndci/index.php>.

- The North Dakota LEAD Center, a state supported professional development center for school administrators, used North Dakota State Improvement Grant funding awarded to the Department of Public Instruction by the Office of Special Education Programs, U.S. Department of Education, to develop a four-day training module on using test data for school improvement. The state testing coordinator served on the advisory team that shaped the content and format of the training. A significant portion of the training is devoted to understanding, analyzing, and interpreting the standards-based State assessment reports.
- Information and training on State assessment results are made available through NDDPI regional meetings for administrators, interactive video network sessions for educators, presentations by NDDPI personnel at professional development opportunities provided by individual school districts, presentations at the Department's Education Improvement Conference and professional organizations of administrators, teachers, school counselors, North Central Accreditation, and others.

D8. *What steps is the State taking to periodically review and improve its assessments?*

(a) Assessment development procedural improvements.

The State Superintendent instituted a state-level advisory committee to the Department of Public Instruction consisting of LEA and SEA representatives, titled the *Standards, Assessment, Learning and Teaching (SALT) Team*, and authorized this committee to study and offer recommendations related to all assessment development committee work (refer to **Appendix Z: Standards, Assessments, Learning and Teaching (SALT) Team Membership**). In consultation with the SALT Team, the Department of Public Instruction has developed the State's assessment development protocols. These protocols establish the State's

assessment development process and accommodate the expansion of current assessments (grades 4, 8, and 12) into grades 3, 5, 6, and 7 and in science in grades 3-8 and 11. Refer to **Appendix C: North Dakota Standards and Assessments Development Protocols**, <http://www.dpi.state.nd.us/standard/content/toc.pdf> regarding the procedures to be followed for the development and improvement of state assessments.

In consultation with the SALT Team, the Department of Public Instruction has adopted certain improvements in the development of future State assessment RFPs. These improvements are identified within the white paper, *Model Contractor Standards and State Responsibilities for State Testing Programs*, Education Leaders Council, 2002. Additionally, the Department is advancing several innovations identified by other States and developed within the white paper, *State Innovation Priorities for Testing*, Education Leaders Council.

The Department of Public Instruction, by State law, is responsible for the oversight of all assessment development and administration duties (refer to **Appendix B: North Dakota Century Code, Assessment Statutes** regarding the delineation of State assessment oversight responsibilities). The State Superintendent has commissioned the SALT Team as the Department's primary advisory committee on standards and assessments. The State's Assessment protocols identify the SALT Team as advising the State Superintendent regarding any review of the State assessment system. The SALT Team submits recommendations to the State Superintendent on the improvement of the system. The SALT Team meets periodically with representatives of CTB/McGraw-Hill regarding the long-term development and improvement of the State's Assessment. The Department of Public Instruction meets independently with representatives of CTB/McGraw-Hill to maintain continuity in the administration of the State.

(b) Ongoing assessment refinement.

In consultation with the SALT Team, the Department of Public Instruction has developed a long-term plan for the ongoing replacement of test items with additional selective- and constructed-response test items. This replacement plan has been written into the current RFP for the next generation of State assessments. The Department of Public Instruction has identified, as a high priority, (1) the administration of an independent audit of the current State assessment's breadth and depth of standards coverage, (2) the expansion of high-quality constructed-response test items, and (3) the advancement of discussions with other States to collaborate in the development of high quality test items and other assessment strategies.

(1) *Test item rigor analysis.* The Department of Public Instruction will conduct a thorough analysis of the current State assessment regarding its rigor of higher order thinking skills and understanding. The Department of Public Instruction will contract with an independent, outside consultant to conduct this analysis with the cooperation of the State's new assessment contractor. The State had originally proposed to conduct this depth and breadth analysis during 2003; however, the State has delayed this analysis until the State's new assessment vendor is selected in January 2004. The analysis will study the next generation of State assessments, thereby better utilizing limited State resources. The depth and breadth analysis will be conducted in 2004 as a baseline evaluation of the new State assessment. The study will anticipate the development of future replacement test items and the future development of other grade-level assessments as itemized within the RFP of the next State assessment. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment.** The study project will convene educators from across the State, including classroom teachers, administrators, content specialists, and university professors, to conduct an audit of the current State Assessment in terms of an agreed upon evaluation criteria. This study evaluation tool will guide study participants in evaluating the State assessment against five levels of increasing difficulty: (1) identity and recall; (2) use of concepts; (3) explanation and reasoning; (4) evaluation and extension; and (5) integration and performance.

(2) *Item replacement policy.* It is the long-term commitment of the Department of Public Instruction to employ an item-replacement model that steadily increases the number and quality of constructed-response test items, including greater use of extended constructed-response items. Future RFPs for the State assessment will include a schedule for the improved quality of constructed-response test items. The Department of Public Instruction has adopted a policy requiring future RFPs to incorporate the recommendations of the Education Leaders Council, *Model Contractor Standards & State Responsibilities for State Testing Programs, 2002* (refer to **Appendix C: North Dakota Standards and Assessment Development Protocols** or reference the following web site, <http://www.dpi.state.nd.us/standard/content/toc.pdf>).

(3) *State consortium efforts.* The Department of Public Instruction has initiated discussions with CTB/McGraw-Hill regarding the prospects of convening, at the initiative of the State of North Dakota, a series of discussions with other States who contract with CTB/McGraw-Hill to establish a consortium of States committed to assessment improvement. Initial findings were tempered and further discussions have been postponed pending the selection of the next contractor for the State assessments. Any potential consortium of States with a common vendor

would share the costs and advance the development of high quality test items, specifically constructed-response and extended-response test items. By convening States that share a common vendor, there are greater opportunities to achieve successes by unifying efforts, maximizing gains, and minimizing copyright impediments. Any possible collaboration would require the careful review of contracts, the protection of copyright, and the imposition of security measures.

(c) Assessment innovations.

In consultation with the SALT Team, the Department of Public Instruction has approved the adoption of several innovations identified by other States and developed within the white paper, *State Innovation Priorities for Testing*, Education Leaders Council. The Department has proceeded to incorporate these recommendations into the drafting of current and future RFPs and in the long-term development of work plans.

In consultation with the SALT Team, the Department of Public Instruction has approved the integration of two established products into the current State assessment: (1) test item task banks developed by previous development work, and (2) a web-based scoring application for extended-response test items. These activities have been incorporated in the most recent RFP for the next State assessment.

(1) *Test item task banks.* In consultation with the SALT Team, the Department of Public Instruction will incorporate into future assessment development the products of a previous state-sponsored development project. During 1996-2001, the Department of Public Instruction developed, with the assistance of two separate U.S. Department of Education FIE grants totaling \$3.2 million, authentic skills assessments in English language arts and mathematics. These assessments, developed by North Dakota teachers and facilitated by the Mid-continent Research in Education and Learning (McREL), generated high quality assessments that were aligned to the State's content and achievement standards. Validity and reliability studies conducted on these assessments demonstrated promising degrees of technical quality. These extended-response assessments were widely piloted and administered statewide and received wide-spread praise for their challenging, higher-order thinking skills emphasis. Copies of these assessments and their supporting technical specifications are available upon request from the Department of Public Instruction.

In addition to structured assessments, these development projects established task bank development committees whose work was to generate and pilot additional test items for possible use in future

assessments. These test items can be revised for possible inclusion in future assessments supervised by CTB/McGraw-Hill.

(2) *Web-based scoring.* An innovation developed as a part of the state-sponsored assessment development project identified above was a web-based scoring application. The Department of Public Instruction contracted with TMSSequoia, Inc. to develop and deploy a web-based scoring application, titled the Virtual Scoring Center. This application was developed to train and use North Dakota teachers as qualified scorers for the North Dakota authentic skills assessments. Students completed extended-response test items that required actual student demonstrations of knowledge and skills through writing, diagramming, and extended documentation. Tests were scanned into a web-based data system and made available within a highly secure web site for scorers to access and score. Tests were blind-scored by multiple scorers. The web-based application controlled and monitored all testing activities, stored all scorers results, determined reliability within the system, and generated meaningful results at the subject, standard, and benchmark level for students, schools, districts, and the state.

The Department of Public Instruction has introduced within the current RFP for the State assessment the option of employing the Virtual Scoring Center as a means of expanding the State assessment into more extended-response items. Such items that would be integrated into the State assessment reporting system, using North Dakota teachers as scorers. Combining updated task bank items generated during the assessment development projects with the Virtual Scoring Center would extend the State's capacity to raise the quality of the State assessment.

Part III: Reporting and Using Assessment Results in Accountability

E. Providing Individual Reports.

- E1.** *How does the State provide individual student reports? What is the source of the data?*

Two sets of individual student reports from the State assessment are provided for both mathematics and reading/language arts. One set remains in the student's cumulative folder, while the other is provided to the student and parents. In addition, a label with summary information is provided for the cumulative folder. These reports are provided in **Appendix S: North Dakota State Assessment Reports.**

The Department of Public Instruction and CTB/McGraw-Hill have cooperatively developed the State assessment reports. Department staff and company representatives worked closely on all elements of the reports. See Sections E4 and E5 for a complete description of report development, review, and approval.

Upon completion of test administration, school district testing coordinators ship materials to CTB/McGraw-Hill. Materials are scanned, selected response items are scored by machine, and constructed response items are hand scored, following rigorous requirements described under Item D6. Records are created for individual students, the cut score ranges are applied to scores to identify level of proficiency for each student by standard. Following quality assurance procedures, CTB/McGraw-Hill generates and ships all reports to school district testing coordinators, who then distribute reports to individual school buildings. CTB/McGraw-Hill provides all data in electronic format to the Department of Public Instruction. Evidence for quality assurance measures is provided in **Appendix Q: North Dakota State Assessment, Technical Report.**

- E2.** *What is contained in the student reports? How are the data presented? Are the results based on the State's content and performance standards?*

Significant features of each standards-based student report are presented below. Refer to **Appendix S: North Dakota State Assessment Reports** for illustrations of these student reports.

Student Mathematics Report. Each Student Report includes a brief statement of the purpose of the report, including its intended use. The overall proficiency in mathematics is indicated by a dark vertical bar, with

the scale score included. Each of the four proficiency levels – novice, partially proficient, proficient, and advanced – is presented and described in narrative form, along with the range of scores that define that level. Proficiency levels were determined during the Bookmark Standard Setting (cut score) activity wherein educators in grades 4, 8, and 12 reading and mathematics examined test results in light of the State's performance/achievement standards.

Each mathematics standard is listed, along with the student's level of proficiency on that standard. Each benchmark associated with each standard is presented, along with the number of points possible for that benchmark and the percentage of points earned for that benchmark. Benchmarks may be notated, as appropriate to indicate that "not all items attempted," "student made no valid attempt," or "student was eligible for the North Dakota Alternate Assessment."

The reverse side of the report offers a summary of the report's content, provides suggestions for parents and students regarding how to work with school personnel to raise proficiency levels, and identifies a website for a more detailed presentation of the State's standards.

Student Reading/Language Arts Report. The Student Report for Reading/Language Arts follows the same format as that for Mathematics, with one exception. The level of proficiency is provided for each *reading* standard, but not for other language arts standards. The State assessment by design concentrates attention on the area of reading, the State's selected core subject within reading/language arts. The State has attempted, nevertheless, to assess additional standards/ benchmarks within language arts to further support the concentrated findings within reading. However, the State uses the reading scores as the basis for its accountability system in reading.

Although the State reports student achievement down to the standards and benchmark levels, the State only references student achievement at the subject level as the basis for determining proficiency ratings for adequate yearly progress. By design, CTB/McGraw-Hill employs a calculated measure to arrive at relative proficiency ratings for reporting each standard. By design, CTB/McGraw-Hill calculates straight percentages of correct responses for benchmark reporting. The State is mindful of presenting accurate and defensible achievement scores at the standards and benchmark levels.

Reporting percentages for correct items at the benchmark is a credible, measured means of allowing students, parents, and educators to understand students' relative achievement among various content

expectations. The State will continue to advance and use this reference for reporting.

Reporting relative proficiency rating for each standard based on an employed value-added calculation by the contractor, although helpful, does introduce debatable issues regarding error-effects or misinterpretation. Reporting at the standards level can be argued legitimately to be an acceptable extension of CTB/McGraw-Hill's OPI function. The State, in cooperation with CTB/McGraw-Hill, applied the OPI function to produce relative achievement ratings based on the State's approved achievement levels: advanced, proficient, partially proficient, and novice. After reviewing the achievement data for 2001-02 and 2002-03, both the State and CTB/McGraw-Hill have amended student reporting for the 2003-04 school year. Reports in 2003-04 will restrict proficiency ratings to either "proficient" or "not proficient" to lessen any effects of measurement error and to offer more defensible reporting of true student performance.

The State will continue to study student achievement data and the appropriateness of detailed reporting. It is essential for student achievement data to be reported in a manner that will propel meaningful instruction; additionally, any such reporting must be credible and lead to an educator's correct diagnosis of detailed achievement and the design of correct remedial measures. If true improvements are to be made, then student achievement reports, the precipitating indicators, must be valid and reliable.

E3. *How does the State ensure the quality of these reports?*

The State assumes responsibility for the generation of all State report forms and validates the quality and clarity of these reports with various State advisory committees. Refer to Section E4 for an overview of this validation activity. The State further requires the assessment contractor (CTB/McGraw-Hill) to conduct quality assurance reviews on all reports generated in terms of the generated assessment data. CTB/McGraw-Hill conducts summative quality control reviews prior to the actual generation of State assessment reports and additional periodic reviews during the process of generating the different assessment reports for schools, districts, and the State.

In April 2003 the Department of Public Instruction constituted a State Technical Advisory Committee (TAC) to review all aspects of the State assessment System, including the validity and reliability of the State assessments. Refer to **Appendix W: State Technical Advisory Committee** for an overview of the membership and agenda of the first

TAC meeting. The Department will conduct periodic TAC meetings to monitor all elements of the State system. The Department of Public Instruction has expanded the role of several TAC members to offer specific assistance related to the development of the State's assessment RFP, the process used in the selection of the next assessment contractor, and the development of future relations and expectations with the State's next assessment contractor. The Department of Public Instruction has also contracted with the National Center for Improvement of Educational Assessments to advise the State on various issues related to the State's accountability system.

The State will access the technical expertise of its contracted TAC members to conduct an independent quality assurance review of all activities identified within the RFP for the next State assessments. Refer to **Appendix KK: Request for Proposals for Implementation of the North Dakota State Assessment**.

As detailed in Section D1 above, the State will conduct long-term validation studies to compare the quality of reported assessment data with those of other assessment tools and the various achievement data used by schools and districts. The State will use the TetraData data analysis and reporting application as the primary means of linking different databases for the purposes of conducting correlation studies. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for a summary of this application.

E4. *How are the results disseminated and communicated? Are they clear and understandable?*

(a) Validation of report clarity.

Sections D6 and D7 identify the different reports generated from the student achievement data collected within the State assessment. These sections also explicate the reports' various components and their respective purposes in communicating overall and specified student performance in terms of the State's content and achievement standards. Refer to **Appendix S: North Dakota State Assessment, Student Achievement Reports** for illustrations of the various achievement reports, including the Student Reports for mathematics and reading/language arts respectively; the Content Standard Performance Report, the Content Standard Summary Report, and the Summary Report.

Each report includes a purpose statement that summarizes the intended use of the report. Refer to Section D7 for a detailed summary of the various reports.

The State assessment reports have been developed cooperatively between the Department of Public Instruction and CTB/McGraw-Hill. Department staff and company representatives worked closely on all elements of the reports. The Department of Public Instruction reviewed drafts of the reports with the SALT Team and incorporated its recommendations.

In consultation with the SALT Team, the Department of Public Instruction validated its findings with the membership of the North Dakota Curriculum Initiative, a collaborative of schools seeking reform in schools' curricular and instructional practices. The membership of the North Dakota Curriculum Initiative indicated its satisfaction with the overall presentation and content of the reports.

It was the common observation of these advisory groups that the North Dakota State assessment reports were intuitive in their layout, sufficiently clear in their instructions, and detailed in their content. Student performance levels were clearly delineated and guided different users to easily understood and consistent interpretations. Users could easily compare performance level results among students, schools, districts, and the state.

(b) Dissemination and communication of reports.

State law requires the dissemination of individual student assessment reports to parents and schools in an understandable format. State law also requires the presentation of State assessment results to the Legislative Council summarizing overall student achievement. State law also requires that aggregate and disaggregate student achievement results are published for the review of the public. Refer to **Appendix B: North Dakota Century Code, Assessment Statutes** for a summary of State's reporting requirements. Refer to **Appendix FF: Testimony Before the Education Committee by the Department of Public Instruction, October 10, 2002** for a summary outline of the testimony delivered to the Legislative Council's Interim Education Committee on October 10, 2002. The Department of Public Instruction delivered a similar report to the Legislative Council on 2002-03 results on July 8, 2003.

Following the scoring and printing of results, CTB/McGraw-Hill packages and returns all student achievement reports to their respective schools. Teachers are instructed to review the results of each student's assessment with each student and subsequently with each student's parents. Teachers are instructed to review a student's performance at the subject level, the standards level, and at the benchmark level. Teachers

are instructed to clarify the meaning of the State content standards and achievement standards. The reverse of all reports offers a summary of this content and identifies a web site for a more detailed presentation of the State's standards. Refer to **Appendix S: North Dakota State Assessment, Student Achievement Reports** for illustrations of the various achievement reports.

The Department of Public Instruction receives all student achievement data for each school and district from CTB/McGraw-Hill through a comprehensive data transfer. The Department compiles the data, cleans any inconsistencies, generates disaggregate reports according to defined subgroup populations, and prints summative reports for each school, each district, and the State. The results of these reports are forwarded to each school and district. These results are also listed on the State Report Card or School Profile of the Department's web site. This web site is readily available from the State's home web site. Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** for an illustration of the content included within the State Report Card.

(c) Interpretation Workshops

The Department of Public Instruction conducts a statewide, interactive broadcast television training session on the interpretation and appropriate use of the State assessment reports. This training session is scheduled following the formal release of reports to the schools and districts across the State and the publishing of the State Report Card. Regional locations are scheduled for a real-time interactive presentation to teachers and administrators across the State. The session is recorded, transmitted later over the State's public television network, and made available on tape for use by teachers, administrators, and other interested individuals statewide. This interpretation workshop follows the same format used by the Department to train teachers and school officials on the proper administration of the State assessment. Refer to **Appendix GG: School Personnel Training Sessions Example** for an example of the typical format used for training school personnel statewide via interactive, broadcast television.

E5. *How is the State supporting the appropriate interpretation and use of the student level reports?*

State law requires the dissemination of individual student assessment reports to parents and schools in an understandable format. Refer to **Appendix B: North Dakota Century Code, Assessment Statutes** for a summary of State's reporting requirements.

(a) Simple, intuitive student reports

Following the scoring and printing of results, CTB/McGraw-Hill packages and returns all student achievement reports to their respective schools. As developed in Section E1, several advisory committees aided the State in the development and validation of the student reports. These reports have been judged to be simple, straight-forward, and intuitive in their design.

Teachers are instructed to review the results of each student's assessment with each student and subsequently with each student's parents. Teachers are instructed to review a student's performance at the subject level, the standards level, and at the benchmark level. Teachers are instructed to clarify the meaning of the State content standards and achievement standards. The reverse of all reports offers a summary of this content and identifies a web site for a more detailed presentation of the State's standards. Refer to **Appendix S: North Dakota State Assessment, Student Achievement Reports** for illustrations of the various achievement reports.

(b) Interpretation primer

The Department of Public Instruction developed a summary, or primer, to the State assessment system. This primer, designed for educators, policymakers, and the public, presents an overview of the purpose, background, process, and reporting of the State's Assessment System. The primer presents a detailed breakdown of all State assessment reports and discusses the instructional use of assessment data. The primer explores issues related to the future development of the State assessments. Refer to **Appendix I: Understanding the North Dakota State Assessment, A Primer**.

The Department of Public Instruction developed an accompanying guide to the interpretation of the State's adequate yearly progress reports. This primer relates all adequate yearly progress report elements to their source in the State assessment or to other State performance reports. Refer to **Appendix I: Understanding the North Dakota State Assessment, A Primer** to review this second interpretation guide.

(c) Interpretation validation study

As indicated in Sections D1(c) and (d), the Department of Public Instruction contracted with TetraData Corporation, to develop and administer a statewide data analysis and reporting system. This data analysis and reporting system allows for the linkage of various databases in order to track individual student, staff, and institutional achievement levels, including the correlation of student achievement across different

assessment tools. Additionally, the Department of Public Instruction will contract with an independent, outside contractor to conduct a study of how well schools use the data from the State assessment to improve standards-based instruction.

This study will use survey tools with teachers and administrators to assess the degree that data from State assessments is used for overall school improvement, especially instruction. This study will also survey the efforts of school personnel to reform instructional practices. Finally, this study will use the data linkage and analysis functions within the TetraData application to measure actual student achievement. Because student cohorts can be linked to teachers and schools that engage in reform activities, meaningful measurements can be derived on the effects of these efforts. Specific attention can be made to track the broad effects of using State assessment data to improve instructional areas identified as deficient in the data.

The State seeks to implement a valid assessment and accountability system. Evidence of success is marked by the State's ability to monitor the alignment of its assessment to State content standards, to assure high technical specification in the development of its State assessment, to correlate the State assessment with other outside assessments and classroom grading, and to ensure the meaningful application of the assessment for school reform.

Part III: Reporting and Using Assessment Results in Accountability

F. Disaggregate Reporting.

- F1.** *Which disaggregate student achievement results are reported at which levels? (By grade level and content area, as appropriate)*

The results generated by the State assessment are reported in mathematics and reading/language arts for grades 4, 8, and 12. Results are reported at the individual student, school, district, and State level. Results are disaggregated by gender, ethnicity, disability, limited English proficiency, migrant, and economically disadvantaged status. The following table summarizes the level of the disaggregate reports.

Disaggregate Reporting Levels for ND State Assessment in Mathematics and Reading/language Arts Grades 4, 8, and 12				
Reporting Level	Individual Student	School	District	State
Gender	N/A	Yes	Yes	Yes
Ethnicity	N/A	Yes	Yes	Yes
Disability	N/A	Yes	Yes	Yes
Limited English Proficient	N/A	Yes	Yes	Yes
Migrant	N/A	Yes	Yes	Yes
Economically Disadvantaged	N/A	Yes	Yes	Yes

The State and its assessment contractor assume the full responsibility for generating aggregate and disaggregate student achievement reports. Local districts do not generate these reports.

Student demographic information is gathered at the time of the assessment administration on the individual student's assessment face sheet. On the face sheet the student or a school official completes basic information about the student, including their name and other essential

information. The assessment requires completion of certain demographic codes that are included on the face sheet and detailed for teachers within the *Test Coordinator's Manual*. Refer to pages 28-31 of **Appendix N: North Dakota State Assessment, Test Coordinator's Manual** for a listing of the various demographic categories used to identify a student. These codes are then used during the process of classifying student achievement by subgroup populations.

The State and districts validate all information reported on the assessment face sheets prior to any use of this data for determining adequate yearly progress. Student demographic information is placed on the State's secure Online Reporting System. Districts review and correct any incorrectly stated student identification.

A central concern of any demographic collection process is the introduction of erroneous information on the part of an individual. This is especially troublesome within an assessment system where information can be inadvertently omitted. The State of North Dakota has established a plan to centralize student identification information with the use of a data analysis and reporting application contracted through TetraData Corporation. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of the application. This application will allow the State to routinely link student identification information statewide with the database supplied by CTB/McGraw-Hill in order to identify and reconcile incorrect information. The use of this data linkage application will enhance the accuracy, reliability, and speed of collecting the demographic information used to classify school, district, and State subgroup achievement reports.

Reference Section B above for an overview of core, statewide disaggregate data. Refer to **Appendix T: North Dakota Sample School Profile, State Report Card** for an example of the presentation format used to report disaggregate subgroup achievement data.

F2. *If all levels of the reports are not produced by the State, how does the State confirm that locally developed reports are produced and disseminated?*

The State alone may authorize the publication of any reports regarding the State assessment for accountability purposes based on State assessment data. The State's contractor (CTB/McGraw-Hill) produces all reports for the State assessment. The State recognizes no other assessment reports produced by other outside sources, including districts and schools, as authoritative regarding the State assessment. Section G below provides assurances for the dissemination of district profiles.

F3. *How are public reports disseminated?*

All public information will be disseminated through public media modes.

(1) The Department of Public Instruction presents an annual report to the North Dakota Legislative Council as required by law (refer to **Appendix B: North Dakota Century Code, Assessment Statutes** for an overview of State statutes on public disclosure of State assessment results and **Appendix FF: Testimony Before the Education Committee by the Department of Public Instruction, October 10, 2002** for the 2002 presentation to the Legislative Council). The Department of Public Instruction presented a similar, although briefer, report to the Legislative Council on July 8, 2003.

(2) The Department of Public Instruction publishes press releases for use by radio/television, the print media, and other publication media. Refer to **Appendix L: Release of 2002 Student Achievement Results by the State Superintendent, November 2002** for the release of 2001-02 achievement data. Refer to **Appendix M: Release of 2003 Accountability Reports by the State Superintendent, September 2003** for the release of 2002-03 school accountability results. Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** for an illustration of the State's profile and report card presentation content.

(3) The Department of Public Instruction publishes the annual school profile and report card electronically through the Department's website, Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** or refer to the following web site, <http://www.dpi.state.nd.us/dpi/reports/profile/0102/50128.htm>
This public information process supplements the department's communication to parents regarding standards and assessment as described in C6.

F4. *What are the State policies regarding reporting results for small schools and small student subgroups?*

How does the State ensure that LEA and school personnel do not over-interpret the findings? Is student confidentiality ensured?

(a) Reporting size limits

The Department of Public Instruction employs a procedure, described below, to eliminate the possibility of compromising student identification through an inadvertent publication of student achievement results. These procedures are designed to eliminate any violation of FERPA law regarding student privacy.

(1) *Minimal N Value Rule*. The Department employs an $N < 10$ value, where any population value N less than 10 will prohibit the reporting of students within an identified population. Any population value N of 10 or greater will allow the reporting of students within an identified subgroup.

(2) *Single-populated Level Rule*. The Department employs a rule where if all students within a school or subgroup report at a certain performance level and no other performance levels report any students, then the Department will record a limited percentage of students, presented as an inequality, to serve as a representative finding. As such, if all students were to reside within a given level, for example “partially proficient”, then reporting on that level will identify any and all students. This would be a violation. To remedy this situation, a representative inequality (e.g. $< 5\%$ or $> 95\%$) will be recorded.

(3) *Total Population Below Proficient Rule*. The Department employs a rule to allow for the proper identification of a school or district where all students' achievement scores fall below proficient (i.e., the combination of partially proficient and novice). It is in the interest of the public and students that any school or district with 100% below-proficient achievement scores be identified for not making Adequate Yearly Progress. To eliminate the possibility of identifying any student, the reports for schools and districts with 100% below-proficient achievement scores will record an inequality to serve as a representative finding (e.g., $< 5\%$ or $> 95\%$). This representative finding would eliminate any possible student identification and also allow for the proper identification of the school or district. In the absence of this rule, extremely low performing schools would be exempt from not making Adequate Yearly Progress, thereby violating the principle of validity.

(4) *Distinguished Students Rule*. The Department employs a rule to allow for the proper identification of a school or district where all students' achievement scores rest above proficient (i.e., the combination of proficient and advanced). It is in the interest of the public and students that any school or district with 100% above-proficient achievement scores be identified as making Adequate Yearly Progress. To eliminate the possibility of identifying any student, the reports for schools and districts with 100% above-proficient achievement scores will record an inequality to serve as a representative finding (e.g., $< 5\%$ or $> 95\%$). This representative finding would eliminate any possible student identification and also allow

for the proper identification of the school or district. In the absence of this rule, high performing schools would not be recognized for making Adequate Yearly Progress.

The Department contracts with the National Center for the Improvement of Educational Assessments, Portsmouth, NH, to re-evaluate the State's rules identified above. Specifically, attention is given to support statistically valid rules where an N value can be honored if $N < 10$. The State is conducting an ongoing study of its accountability rules. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability system.

(b) Statistical reliability factors

Inherent within the reporting of any student achievement results is the influence of sampling error. When reporting samples (school, district, or State data), provision must be made for the impact of sample error on the reliability of the reported data. Sampling error becomes most pronounced with the smaller sampling size of smaller schools and districts. Accounting for sampling error is a critical factor in eliminating any gross over-interpretation of assessment results, especially in small samples. The State has established rules regarding statistical reliability, the reporting of results of various size samples, the accepted procedures within the State's accountability system.

The State has established comprehensive rules for the reliable analysis and reporting of aggregate and disaggregate student achievement within the State's accountability system. An extensive narrative regarding the State's reliability rules is contained in Section 9 of the State's accountability workbook. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability system. These rules are designed to aid educators, policymakers, and the public to interpret appropriately student achievement results for various sample sizes that exist within schools statewide.

The Department of Public Instruction has contracted with the National Center for the Improvement of Educational Assessments to conduct an ongoing study of the State policy regarding acceptable reporting standards within the State's assessment and accountability reporting system.

(c) Interpretation primer

The Department of Public Instruction developed a summary, or primer, to the State assessment system. This primer, designed for educators, policymakers, and the public, presents an overview of the purpose, background, process, and reporting of the State's Assessment System.

The primer presents a detailed breakdown of all State assessment reports and discusses the instructional use of assessment data. The primer explores issues related to the future development of the State assessments. Refer to **Appendix I: Understanding the North Dakota State Assessment, A Primer**.

The Department of Public Instruction developed an accompanying guide to the interpretation of the State's adequate yearly progress reports. This primer relates all adequate yearly progress report elements to their source in the State assessment or to other State performance reports. Refer to **Appendix I: Understanding the North Dakota State Assessment, A Primer** to review this second interpretation guide.

(d) North Dakota Curriculum Initiative

The North Dakota Curriculum Initiative (NDCI) is funded by the Department of Public Instruction to provide training to school district teams and to facilitate communication among school district personnel. The focus is on aligning curriculum to standards, and using assessment data for school improvement purposes. Consultants from Mid-continent Research for Education and Learning frequently facilitate training, which is conducted quarterly. A description of the NDCI is enclosed as **Appendix DD: North Dakota Curriculum Initiative**, and can be accessed at the following website: <http://www.ndsu.nodak.edu/ndci/index.php>.

(e) LEAD Center training

The North Dakota LEAD Center, a state supported professional development center for school administrators used North Dakota State Improvement Grant funding awarded to the Department of Public Instruction by the Office of Special Education Programs, U.S. Department of Education, to develop a four-day training module on using test data for school improvement. A significant portion of the training is devoted to understanding, analyzing, and interpreting the standards-based state assessment reports.

- F5.** *How does the State use disaggregate information to ensure that statewide policies and procedures regarding curriculum and other aspects of their reform program are reinforcing the importance of all students mastering the standards? How does the State help LEAs do the same?*

The State provides districts and schools with aggregate and disaggregate reports, including gender, ethnicity, English language proficiency, migrant status, disability, and economically disadvantaged.

The State has contracted with TetraData Corporation to acquire a data analysis and reporting application to allow the State to cross-reference data from assessment data files with other instruments, such as program specific surveys and child counts. This cross-referencing offers assurances that subgroups are represented in data. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of this application. The State will cross-reference data on an annual basis to confirm the accuracy and use of achievement information. The SALT Team, special task groups, and independent consultants will review the data analysis activity.

As identified in F3 above, the State publishes all aggregate and disaggregate student achievement data by school, district, and the State on the Department of Public Instruction's website. This publication allows school districts and the public to access information on their district and other districts for use in general school improvement activities. Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** or refer to the following web site, <http://www.dpi.state.nd.us/dpi/reports/profile/0102/50128.htm>.

Parents have access to the information through their students' individual achievement reports, the Department of Public Instruction's website, the dissemination of their district's local school report card, and other forms of public documents. The SALT Team analyzes data, reviews policies, and submits recommendations to the Department regarding advancement of the State's overall school improvement plans.

The North Dakota Curriculum Initiative has as one of its major agenda items, statewide professional development programs centered around the subject of data analysis of student performance scores. In this, State standards development teams use data in determining changes in state standards and assessments in a comprehensive and timely manner. Refer to **Appendix DD: North Dakota Curriculum Initiative** for an overview of the Curriculum Initiative's activities.

The State actively encourages the use of the TetraData data analysis and reporting system to perform correlation studies with the various curricular, instructional, and assessment initiative exercised by schools. Refer to **Appendix Y: TetraData Data Analysis and Reporting System** for an overview of the TetraData system's purpose and design. It is the long-term intent of the State to advance a variety of promising and proven strategies to improve student achievement. The TetraData system allows for correlation studies to monitor and measure such initiatives in relation to the State assessment and the State's challenging content and achievement standards. Such studies advance the State's efforts to validate its assessment system in relation to other assessments and in

terms of how the State assessment impacts actual school educational practice.

Part III: Reporting and Using Assessment Results in Accountability

G. Development of District and School Profiles.

- G1.** *Do all participating LEAs annually develop and disseminate performance profiles for all their schools that receive Title I funds?*

The State produces all district- and school-level reports for districts and schools regarding their respective student achievement levels. These profile reports include both aggregate and disaggregate student achievement data. Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** for an illustration of the content of these student achievement profiles. Districts use these profile reports as the foundation for locally produced profiles. These State-generated reports offer quality assurances regarding the generation of any district achievement data.

The State requires all districts to disseminate student achievement profiles to their communities as a condition for the receipt of federal funds. Refer to **Appendix HH: Consolidated Application Certification and Assurances** for the State assessment requirement for receipt of federal ESEA funding. To assure compliance with this provision for the development and dissemination of performance profiles per Title I funding, the Department requires timely and comprehensive reports as a condition of receiving uninterrupted Title I funds. Evidence of these profiles has been incorporated as one of the criteria in the Department's Federal ESEA monitoring program.

The Department of Public Instruction currently is integrating ESEA and State accreditation monitoring procedures. The Department has amended its monitoring procedures that require districts to produce evidence regarding the dissemination of achievement profiles to their communities. Monitors check for the production and dissemination of any such achievement profiles. Any failures to disseminate such profiles are identified as a compliance violation of the district's ESEA compliance agreement. Refer to **Appendix HH: Consolidated Application Certification and Assurances** for the State assessment requirement for receipt of federal ESEA funding. A school or district may be sanctioned for any compliance violation of their ESEA assurances agreement.

As an element of the State assessment and accountability system, the Department of Public Instruction conducts an annual data audit of all

schools and districts. Within this audit, a required element of the State accountability plan, the Department performs a validation of all student participation rates in the aggregate and for all subgroups. This validation consists of matching several student demographic and assessment databases. This matching activity seeks to confirm that the reported number of students assessed or exempted matches the number of students identified within each school on the State's Online Reporting System for pupil membership. The State's pupil membership reports account for all students within each school and forms the basis for the State's financial reimbursement to each school and district. Refer to Section 9 within **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's monitoring responsibilities.

Any student exempted from participation through the invalidation of their test is accounted for within the required invalidation report. The identity of the student and the reason for invalidation is recorded by school officials and submitted to the Department of Public Instruction. The Department of Public Instruction maintains all invalidation records and confirms the accuracy of participation rates for each school and district.

G2. *What does the State do to assist LEAs in producing profiles that are of high quality and are useful in improving school programs?*

The State produces all district- and school-level reports for districts and schools regarding their respective student achievement levels. These profile reports include both aggregate and disaggregate student achievement data. Refer to **Appendix T: North Dakota Sample School Profile, School Report Card** for an illustration of the content of these student achievement profiles. Districts may use these profile reports as the foundation for their locally produced profiles. These State-generated reports offer quality assurances regarding the generation of any district achievement data.

G3. *How does the State document that LEAs publicize and disseminate the profiles to all the required audiences?*

The State receives its final student achievement data from CTB/McGraw-Hill following the scoring of all assessments and the dissemination of all reports. The Department of Public Instruction compiles and generates statewide, district, and school reports for the aggregate and for all subgroups. The Department publishes all aggregate and disaggregate reports and disseminates these reports on the State's School Profile and Report Card. The Department of Public Instruction also references this data for the determination of adequate yearly progress for the State, districts, and schools.

Districts are required to publicize and disseminate their local aggregate and disaggregate reports to their respective communities.

The Department of Public Instruction requires all districts to produce and submit evidence that they have published and disseminated their aggregate and disaggregate reports to their communities. Beginning with the 2003-04 school year, the Department has incorporated the dissemination of all student achievement reports into the State's ESEA compliance monitoring. Failure to produce such evidence constitutes a violation of a district's reporting obligations and may result in the application of sanctions. Refer **Appendix HH: Consolidated Application Certification and Assurances** for the requirement to publicize and disseminate student achievement data.

Part III: Reporting and Using Assessment Results in Accountability

H. Ensuring that State Assessments Are the Primary Basis for Determining LEA and School Progress.

- H1. *In what way is student performance on State assessments defined as the primary element in the State's definition of adequate yearly progress for schools and districts?*

The State of North Dakota stipulates that the State's definition of adequate yearly progress is based primarily on academic assessments as provided within ESEA section 1111.

North Dakota state law (NDCC 15.1-21-08) places responsibility with the State Superintendent for the administration of State assessments that are aligned to the State's content standards in reading and mathematics (refer to **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/cencode/T151C21.pdf>). State law requires that the assessments be administered to at least one grade level selected within each of the following grade spans: grades three through five; grades six through nine; and grades ten through twelve. The North Dakota Department of Public Instruction has developed and administers assessments at grades 4, 8, and 12 to correspond with the State's content standards.

The State AYP plan meets the requirements of the ESEA, including emphasis on the school identification method referenced to student achievement proficiency rating, safe harbor provisions, statistical reliability assurances, graduation rates for secondary schools, attendance rates for elementary schools, and a minimum assessment participation rate of 95%. The primary means for the identification of schools and LEAs is, nevertheless, student achievement data.

The State of North Dakota will only recognize and reference student achievement proficiency ratings generated by the State assessment and its Alternate Assessment. No other student achievement assessment tools or means will be recognized. No local assessments are recognized as an alternative to the State assessment.

The only definitions of achievement levels recognized by the State AYP accountability system are those proficiency levels set for the State assessment through the standards-setting process and the proficiency

rating established within the State Alternate Assessment. Refer to **Appendix R: North Dakota State Assessment, Bookmark Standards Setting Technical Report, 2002** for the established definitions of the North Dakota achievement levels within the standard assessment. Refer to **Appendix NN: North Dakota Alternate Assessment** for the established definitions of the North Dakota achievement levels within the alternate assessment. The State cut scores for the State assessment constitute the defining scales for identifying schools and districts for AYP. Refer to **Appendix U: State Superintendent's Approval Notification of North Dakota State Assessment Cut Scores** for the State's announced policy regarding the establishment of performance level cut scores. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability provisions, including the use of the State assessment as the primary measure to determine adequate yearly progress.

- H2.** *What role do local assessments play in defining AYP? Are they part of the "State's assessment system" or are they considered supplemental? If they are part of the definition for AYP, what steps are taken to ensure that they are of high quality?*

As stated in H1, the State of North Dakota only recognizes and references student achievement proficiency ratings generated by the State assessment and its alternate assessment. No other student achievement assessment tools or means are recognized. No local assessments are recognized as an alternative to the State assessment.

The only definitions of achievement levels recognized by the State AYP accountability system are those proficiency levels set for the State assessment through the standards-setting process and the proficiency rating established within the State Alternate Assessment. Refer to **Appendix R: North Dakota State Assessment, Bookmark Standards Setting Technical Report, 2002** for the established definitions of the North Dakota achievement levels within the standard assessment. Refer to **Appendix NN: North Dakota Alternate Assessment** for the established definitions of the North Dakota achievement levels within the alternate assessment. The State cut scores for the State assessment constitute the defining scales for identifying schools and districts for AYP. Refer to **Appendix U: State Superintendent's Approval Notification of North Dakota State Assessment Cut Scores** for the State's announced policy regarding the establishment of performance level cut scores. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability provisions, including the use of the State assessment as the primary measure to determine adequate yearly progress.

The State encourages schools to conduct a variety of instructional and assessment practices that may prove beneficial to overall improvement of student achievement, by aggregate and subgroup. The State, however, does not incorporate any such assessments and their results into any consideration of AYP or its mitigation in the event of a school's identification for program improvement.

The State actively encourages the use of the TetraData data analysis and reporting system to perform correlation studies with the various curricular, instructional, and assessment initiative exercised by schools. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of the TetraData system's purpose and design. It is the long-term intent of the State to advance a variety of promising and proven strategies to improve student achievement. The TetraData system will allow for correlation studies to monitor and measure such initiatives in relation to the State assessment. Such studies will advance the State's efforts to validate its assessment system in relation to other assessments and in terms of how the State assessment impacts actual school educational practice.

- H3.** *If non-cognitive measures are used as part of the AYP definition, how are they weighted? Are they included in an index, or are they used as a secondary screen or filter?*

As stated in H1 above, the State of North Dakota only recognizes and references student achievement proficiency ratings generated by the State assessment and its alternate assessment. No other student achievement assessment tools or means, including non-cognitive measures, are recognized. No local assessments of student achievement or non-cognitive wellbeing are recognized as an alternative to the State assessment.

The only definitions of achievement levels recognized by the State AYP accountability system are those proficiency levels set for the State assessment through the standards-setting process and the proficiency rating established within the State Alternate Assessment. Refer to **Appendix R: North Dakota State Assessment, Bookmark Standards Setting Technical Report, 2002** for the established definitions of the North Dakota achievement levels within the standard assessment. Refer to **Appendix NN: North Dakota Alternate Assessment** for the established definitions of the North Dakota achievement levels within the alternate assessment. The State cut scores for the State assessment constitute the defining scales for identifying schools and districts for AYP. Refer to **Appendix U: State Superintendent's Approval Notification of**

North Dakota State Assessment Cut Scores for the State's announced policy regarding the establishment of performance level cut scores. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the State's accountability provisions, including the use of the State assessment as the primary measure to determine adequate yearly progress.

Part III: Reporting and Using Assessment Results in Accountability

I. Include Students Who Have Attended School in the LEA for a Full Academic Year.

- I1:** *Has the State clearly informed the LEAs regarding which students must be considered in determining adequate yearly progress?*

The State of North Dakota requires all students enrolled in public schools within North Dakota to participate in the State assessment system. Refer to **Appendix B: North Dakota Century Code, Assessment Statutes** or reference the North Dakota Century Code at the following web site, <http://www.state.nd.us/lr/assembly/57-2001/cencode/CCT15x1.pdf>). All students, regardless of their enrollment status, participate in the State assessment. This total inclusion policy includes those students who may have enrolled in a district or school after the beginning of a school year. Any student who may have been enrolled in a school or district after the beginning of a school year is identified on their assessment face sheet. Students or their teacher mark a special code on the assessment demographic face sheet that identifies their late enrollment status. This code is used to identify the student and to remove them from the school's student roll for AYP identification purposes. Refer to **Appendix N: North Dakota State Assessment, Test Coordinator's Manual** for the enrollment code identification fields. A student who has not been enrolled in a school for the entire year but has been enrolled in the district for the entire year will not be included into AYP consideration for the school but will be included into AYP consideration for the district.

All students must be accounted for regarding their enrollment status. This is a required entry on the demographic face sheet of all students. Student participation rates will be compared to the school's and district's Average Daily Membership student count used to reimburse school's and district's for their State foundation aid. Therefore, the State references reimbursement census data to confirm student participation rates.

The State has adopted a comprehensive accountability system that identifies the policies and procedures for administering these policies for student inclusion, invalidated or exempted status, participation rates, reporting requirements, and all other provisions required under ESEA, Section 1111. Refer to **Appendix JJ: North Dakota State Accountability Workbook** for an overview of the North Dakota accountability system.

I2: *Does the State make any effort to ensure that LEAs are following this policy?*

The State requires all schools to account for all students regarding their enrollment status within the school and district and their inclusion within the State assessment. The enrollment status of each student is a required entry on the demographic face sheet of all students. Refer to **Appendix N: North Dakota State Assessment, Test Coordinator's Manual** for the enrollment code identification fields. Errant information is flagged through an editing process; schools must correct any errors before adequate yearly progress calculations are performed. Student participation rates are compared to the school's and district's Average Daily Membership student count used to reimburse school's and district's for their State foundation aid. Therefore, the State references reimbursement census data to confirm student participation rates.

The State is implementing a statewide student data analysis and reporting system to aid the State in monitoring the enrollment patterns and participation rates of students. The TetraData application allows the State to link district enrollment files with the State's assessment participation files in order to assure that all enrolled students are accounted for in the State assessment system files. Refer to **Appendix Y: TetraData Data Analysis and Reporting System Summary** for an overview of the TetraData system's purpose and design. Currently the Department of Public Instruction matches several student demographic and assessment databases to conduct an annual audit of student participation rates for all schools and districts with the use of the State's secure Online Reporting System.

The Department of Public Instruction has revised its ESEA and accreditation monitoring policies. The State has revised its monitoring procedures to require districts to produce evidence regarding the enrollment dates of all students. Monitors check all schools' pupil membership data for any students who had enrolled after the beginning of a school year and cross-reference their participation status in the State assessment data file. Any failures to include such students would be identified as a compliance violation of the school's and district's ESEA compliance agreement. Refer to **Appendix HH: Consolidated Application Certification and Assurances** for the State assessment requirement for receipt of federal ESEA funding. A school or district may be sanctioned for any compliance violation of their ESEA assurances agreement.

It is the expressed policy of the State of North Dakota to include all students within the North Dakota State Assessment.